

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8192 of 2019

1. Uderam Rathiya S/o Shri Chamar Singh Aged About 49 Years Presently Posted As Post Of Peon Office Of Block Education Officer Pathalgaon, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
2. Shyam Kumar Dansena S/o Shri Badrinath Aged About 54 Years Presently Posted As Post Of Peon Middle School Sekharpur, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
3. Gokul Prasad S/o Late Shri Kumar Singh Aged About 46 Years Presently Posted As Post Of Peon Middle School Jamjhor, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
4. Gopal Vishwal S/o Shri Brijmohan Aged About 45 Years Presently Posted As Post Of Peon Govt. Higher Secondary School Tamta, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
5. Harishchandra Painkra S/o Shri Baijnath Painkra Aged About 49 Years Presently Posted As Post Of Peon Higher Secondary School Bagbahar, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
6. Tulsiram Yadav S/o Shri Padumlal Aged About 39 Years Presently Posted As Post Of Peon Office Of Block Education Officer Pathalgaon, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
7. Shyamlal Sidar S/o Shri Manglu Ram Aged About 42 Years Presently Posted As Post Of Peon Office Of Block Education Officer Pathalgaon, Tahsil Pathalgaon, District Jashpur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, New Raipur Chhattisgarh.
2. Director Lok Shikshan Sanchanalay, Indrawati Bhavan, New Raipur, District Raipur Chhattisgarh.
3. District Education Officer Jashpur, District Jashpur Chhattisgarh.
4. Block Education Officer Pathalgaon, District Jashpur Chhattisgarh.

--- Respondents

For petitioner- Shri Somkant Verma, Advocate.
For State-Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/10/2019

Heard.

1. The present petition under Article 226 of the Constitution of India has been filed for a direction to the respondents to grant regular pay-scale to the petitioners under the contingency services immediately on completion of three years of service from the initial date of appointment.

2. Learned counsel for the petitioners submits that the petitioners are in employment since 1992, 1996, 1997 respectively and therefore they are entitled for grant of regular pay-scale after completion of three years service. He further submits that similar reliefs have already been granted to certain persons whose services were also regularized by the State Government in the year 2008. He refers to an order dated 10.03.2015 stating that the said order is in respect of identically placed persons.

3. At this juncture, learned State counsel submits that it would be better if the petitioners file detailed fresh representation to respondent no.3 along with all relevant documents in support of their claim including the orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case representation is made, the respondent no.3 shall decide the same expeditiously.

4. The proposal of the State counsel is acceptable to the counsel for the petitioners.

5. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent No. 2 & 3 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent No. 2 & 3 shall dispose off the same within a period of 90 days from the date of receipt of the representation.

6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioners is concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.

7. No order as to costs.

Sd/-

(Goutam Bhaduri)

JUDGE