

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8646 of 2019**

Shaikh Bani Israil, S/o. Shaikh Mahboob Subhani, Aged About 61 Years, R/o. Purana Meena Bazar, Vishnu Nagar, Ward Number 02, Kududand, District Bilaspur, Chhattisgarh. 495001

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Directorate Of Health Service, Public Health And Family Welfare Department, Raipur, Chhattisgarh.
3. Divisional Joint Director, Health Services, Regional Family Welfare Training Center Campus, Sipat Road, Sarkanda, District Bilaspur, Chhattisgarh.
4. Chief Medical And Health Officer, District Bilaspur, Chhattisgarh.
5. Block Health Officer, Community Health Center Bilha, District Bilaspur, Chhattisgarh.
6. Director, Directorate Of Treasury Accounts And Pensions, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
7. Joint Director, Treasury Accounts And Pensions Bilaspur Division, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Anshuman Shrivastava, Advocate

For Respondents/State : Mr. Priyank Rathi, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****18.10.2019**

1. Challenge in this petition is to the order dated 14.08.2019 (Annexure P-1) issued by the Block Health Officer, Community Health Center-Bilha, District Bilaspur.
2. It is contended that the petitioner was given third time pay-scale after rendering 30 years of service on 31.05.2019 by Annexure P-2. It is stated that the noting of the Circular 43/2018 has been misinterpreted

by the respondent No.5 and has observed that the petitioner is not entitled to get third time pay-scale and the reference of 43/18 has wrongly been read as 48/2018 that 48/2018 do not exists in any circular. The petitioner therefore submits that he may be allowed to give a representation to project all the defects before the respondent No.5 who may decide the same within the stipulated period.

3. Considering the limited prayer made, without any observation on merit, since the petitioner has sought for deciding his representation, it is directed that the petitioner may file a representation before the respondent No.5 with the entire facts and figures as against the order of 14.08.2019 within a period of 3 weeks, thereafter, the concerned authority i.e. respondent No.5 shall decide the same within a period of 60 days. The order dated 14.08.2019 (Annexure P-1) shall not be acted upon till the fresh representation is decided.
4. With such observation, the petition stands disposed of.

**Sd/-
(Goutam Bhaduri)
Judge**

ashok