

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10134 of 2019**

1. Omprakash Otti S/o Mr. Hira Lal Otti Aged About 49 Years Post Lecturer (Local Body), Posted At Govt. Higher Secondary School Lendara, Block Narharpur , Distt. Uttar Bastar Kanker, Chhattisgarh.
2. Vedesh Kumar Thakur S/o Mr. Kanshi Ram Thakur Aged About 40 Years Post Lecturer (Local Body) Posted At Govt. Higher Secondary School Lendara, Block Narharpur, Distt. Uttar Baster Kanker Chhattisgarh.
3. Mrs. Rajeshvari Netam W/o Mr. Rohit Kumar Netam Aged About 35 Years Post Lecturer (Local Body) Posted At Govt High School Shambara, Block Narharpur , Distt. Uttar Bastar Kanker Chhattisgarh.
4. Harish Kumar Waika S/o Mr. Ramdayal Waika Aged About 47 Years Post Lecturer (Local Body) Posted At Govt Higher Secondary School Siksod , Block Koilibeda Distt Uttar Baster Kanker Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary , Education Department , Mantralaya , Naya Raipur, District : Raipur, Chhattisgarh
2. Secretary Panchayat And Rural Development Department , Mantralaya , Naya Raipur, District : Raipur, Chhattisgarh
3. Commissioner Cum Director, Panchayat Sanchalaya, Naya Raipur, District : Raipur, Chhattisgarh
4. Chief Executive Officer, Jila Panchayat, Distt. Uttar Baster Kanker Chhattisgarh.

---- Respondents

For Petitioners : Shri Parag Kotecha, Advocate

For Respondents/State : Ms. Beenu Sharma, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****04/12/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that the issue involved in the present writ petition has already been considered and decided by this Court in WPS No.131 of 2019, therefore, the

same order may be passed in the present writ petition also.

3. This Court in WPS No. 131 of 2019 on 10.01.2019 has passed the following order:-

- "1. With the consent of the parties matter heard finally at motion stage.
2. The limited grievance which the petitioner has raised in these present writ petitions by virtue of order passed by this Court in the case of Mukesh Kumar Patel Vs. State of Chhattisgarh, WPS No. 2530/2017 decided on 26.11.2017 have been granted benefit of revised pay scale on completion of 8 years of service.
3. The counsel for the petitioner submits that the grievance which now remains is that the benefit is being provided to the petitioner prospectively and though the respondents have made a calculation which the petitioner was entitled for from the date of their completion of 8 years of service but no effective orders have been passed nor have department taken any steps for release of the arrears of payment. The petitioner prays for appropriate direction to the respondents for releasing the said amount.
4. Without entering into the merits of the case and taking into consideration the judgment of this Court in the case of Mukesh Patel(Supra) which has also been affirmed by the Division Bench and taking note of the fact that respondents have complied with the order to the extent of granting revised pay scale to the petitioner, let respondents No. 2 & 3 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioner is entitled for. Expecting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order the present writ petition stands disposed off."

4. Learned State counsel has no objection.
5. It is ordered accordingly. The ratio laid down in the case supra shall also govern the cause of lis in this case and will have the same effect and operation.
6. With such observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge