

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9468 of 2019**

- S. K. Walimbey S/o Late Shri A.V. Walimbey Aged About 63 Years R/o Parijat Colony, Flat M - 1, Nehru Nagar, Bilaspur District - Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Finance Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Police Station - Rakhi, District - Raipur Chhattisgarh
2. Commissioner, Bilaspur Division District Bilaspur Chhattisgarh
3. Collector, District - Bilaspur Chhattisgarh
4. Joint Director, Treasury, Bilaspur Chhattisgarh

---- Respondents

For Petitioner : Shri Himanshu Sinha, Advocate

For Respondents/State : Shri Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/11/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner has retired from the service on 30.06.2018 from the post of Stenographer Class-I and he was working in the office under the Collector. According to the the circular dated 28.04.2008, 15.01.2009 and 08.08.2018 issued by the State the employees who have completed 30 years of service and have got only two promotions will be considered for third time scale pay. It is stated that the petitioner was appointed on the post of Stenographer Class-III on 27.06.1983 and only two promotions

were given to him. Thereby as per the circular he was entitled for the third time pay scale. It is contended that since there is difference of opinion exists in between the Collector and the Commissioner, therefore, the entitlement of the petitioner is not been decided as on date, therefore, specific direction may be given for the reason that the petitioner at the time of retirement was under the Collector, therefore, the Collector would be the authority to decide the entitlement of the petitioner for the time bound pay scale.

3. It is not in dispute that the petitioner has completed more than 30 years of service as of date he retired on 30.06.2018, therefore, perusal of the circular as is filed would show that the persons who have rendered more than 30 years of service, they would be given benefit of third time pay scale. Consequently, it is directed that the petitioner since filed the application before the Collector and the Commissioner and the petitioner claims that at time of retirement he was under the Collector, therefore, the petitioner is given liberty to file afresh representation before the concerned Collector within a period of two weeks from today and on such representation being filed, the same shall be decided within a period of 45 days from the date of receipt of the representation.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge