

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8406 of 2018

1. Sarvottam Kesar S/o Shri Buneshwar Kesar, Aged About 30 Years, Present Posting At Government Pre. Matric Girls Hostel, Brangjor, Post Brangjor, Tahsil Kunkuri, District Jashpur, Chhattisgarh.
2. Sukhnath Ram, Aged About 31 Years, Present Posting At Government Pre. Matric Girls Hostel, Ichkela, Post Brangjor, Tahsil Kunkuri, District Jashpur, Chhattisgarh.
3. Shivnandan Ram S/o Shri Devlal Ram, Aged About 29 Years, Present Posting At Government Pre. Matric Girls Hostel, Keradih, Post Brangjor, Tahsil Kunkuri, District Jashpur, Chhattisgarh.
4. Smt. Indrawati Bai W/o Ramdev Ram, Aged About 36 Years, Present Posting At Government Kalyan Ashram Brangjor, Post Brangjor, Tahsil Kunkuri, District Jashpur, Chhattisgarh.
5. Ku. Hiramani Bai D/o Shri Abir Ram, Aged About 28 Years, Present Posting At Government Kalyan Ashram, Brangjor, Post Brangjor, Tahsil Kunkuri, District Jashpur, Chhattisgarh.
6. Khirodhar Singh S/o Ramnath Singh, Aged About 28 Years, At Present Posted At Government Senior Secondary School, Kunjara, Post Office Kunjara, Tahsil Duldula, District Jashpur, Chhattisgarh.
7. Balram Ram S/o Shri Karmu Ram, Aged About 34 Years, At Present Posted At Block Development Education Officer, Kunkuri, Post Office Banderchuan, Tahsil Kunkuri, District Jashpur, Chhattisgarh.
8. Sanjay Kumar S/o Jaitu Ram, Aged About 36 Years, At Present Posted At Government Senior Secondary School Kaliba, Post Office Kunkuri, Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of School Education Department, Department Mahanadi Bhawan, New Raipur Chhattisgarh.
2. Director, Lok Shikashan Sanchanarya, Indrawati Bhawan, New Raipur, Chhattisgarh.
3. District Education Officer, Jashpur, District Jashpur, Chhattisgarh.
4. Block Education Officer, Kunkuri, District Chhattisgarh.

---Respondents

For petitioners : Shri Akhilesh Kumar, Advocate.
For State : Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

02/01/2019

1. Heard.
2. 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.
3. Learned counsel for the petitioners submits that the petitioners 1 & 8 are in employment since 2007, petitioners 2, 6 & 7 since 2009, petitioner No. 5 since 2012 and petitioners 3 & 4 since 2013 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 in 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.
4. 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. She further submits that in case representation is made,

the respondent no.3 shall decide the same within a further period of three months from the date of receipt of the representation.

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

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

7. 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.

8. No order as to costs.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE