

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9908 of 2019**

- Than Singh Churendra S/o Shri Ramnath Churendra Aged About 37 Years Working As Assistant Teacher (Lb) Nagriya Nikay, Govt Primary School Patharra, Block Dhamdha, Dist-Durg Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhavan, Naya Raipur Chhattisgarh
2. Commissioner-Cum-Director Directorate Of Panchayat, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Chief Executive Officer Jila Panchayat Durg,dist, Durg Chhattisgarh
4. Chief Municipal Officer Charoda Bhilai, Dist- Durg Chhattisgarh
5. District Education Officer Durg Dist, Durg Chhattisgarh

---- Respondents

For Petitioner : Shri Harish Khuntiya, Advocate

For Respondents/ State : Shri Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****29/11/2019**

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. 4474 of 2019, therefore, the same order may be passed in the present writ petition also.

3. This Court in WPS No. 4474 of 2019 on 24.06.2019 has passed the following order:-

1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioner for grant of revised pay scale on completion of 8 years of service. The denial to the petitioner was that the petitioner has not completed 8 years of service under the same employer.

2. The grievance of the petitioner was that the petitioner was initially appointed under the Panchayat department and subsequently applied for recruitment on the higher post under the Nagariy Nikay in the year 2012 and taking both the services, the petitioner has completed more than 8 years of service and therefore he is entitled for the benefit of higher pay scale.

3. The counsel for the petitioner submits that the issue involved in the present writ petition is squarely covered by the judgment of this Court in a bunch of writ petitions disposed off on 27.10.2018. The lead case of which being WPS No. 6147/2018 (Shabnum Khatun v. State of Chhattisgarh & Ors.)

4. This aspect is not disputed by the State counsel so far as the matter being similar to the one passed in the case of "Shabnum Khatun" (supra).

5. Given the facts and circumstances of the case the present writ petition also deserves to be and is accordingly disposed off in similar terms to the order

passed in WPS No. 6147/2018 (Shabnum Khatun v. State of Chhattisgarh & Ors).

6. The writ petition accordingly stands allowed. The petitioner would be entitled for the benefit as prayed for subject to the verification of the case by the Department.

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

Jyoti