

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2302 of 2011

1. Vinay Tiwari and Others, S/o Lt. Shri Jemsenary Timothi, Working As Probation Officer, Observation Home, Bilaspur, (C.G.)

---- Petitioners

Versus

1. State of Chhattisgarh and Another Panchayat and Social Directorate, C.G., Mahanandi Khand, Mantralaya Parisar, Raipur, (C.G.)

----- Respondents

For Petitioners	:	Mr. Prateek Sharma, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.07.2020

1. The present writ petition has been filed seeking parity of pay-scale to be granted to the petitioners appointed in the Panchayat Department at par with the district Auditors.
2. According to the counsel for the petitioners, the petitioners were appointed in the category of Probation Officers who were drawing the same pay scale as that was drawn by the District Auditors. When the Pandey Pay Scale, Chaudhary Pay Scale and Brahmaswaroop Pay Scale were implemented by the State Government. However, subsequently when the Brahmaswaroop Report was implemented there is a variation in the pay-scale of the District Auditors with that of the Probation Officers i.e the petitioners in as much as the District Auditors were given the pay-scale of Rs. 5500-9000 and the Probation Officers were put in the pay-scale of Rs. 4500-7000.

3. The State Government in their reply have categorically taken a stand that the pay-scale awarded to the petitioners is in terms of rules, which itself prescribes for specific pay scale for District Auditors and for the Probation Officers. Therefore, unless the actual rules are challenged, the petitioners would not be able to claim parity.
4. At this juncture, the counsel for the petitioners prays for disposal of the writ petition leaving the liberty open to the petitioners to challenge the “Chhattisgarh Panchayat Avam Samaj Kalyan, Tritiya Shreni (Karyapalik) Sewa Bharti Niyam, 2008”.
5. Given the said submission by the learned counsel for the petitioners, this Court is of the opinion that the writ petition itself can be disposed off at this juncture on the submissions made by him. Accordingly, the writ petition is disposed off.
6. Reserving the liberty of the petitioners to assail the rules, if they so want.

Sd/-
(P. Sam Koshy)
Judge