

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 281 of 2020

Mohit Kumar Kaiwartya S/o Shri Sarju Prasad Kaiwart Aged About 46 Years Occup. - Assistant Teacher (L.B.) Government Primary School Khapradeeh Post Office Raven Block Simga District - Balodabazar Chhattisgarh.

--- Petitioner

Versus

1. State of Chhattisgarh through Secretary Department of School Education Mantralaya, Mahanadi Bhawan Naya Raipur, P.S. - Abhanpur District Raipur Chhattisgarh. P.S. - Raipur District Raipur Chhattisgarh.
2. Secretary Department of School Education Mantralaya Mahanadi Bhawan Naya Raipur, P.S. - Abhanpur P.S. - Raipur District Raipur Chhattisgarh.
3. Chief Executive Officer Jila Panchayat, District : Balodabazar-Bhathapara, Chhattisgarh
4. District Education Officer Balodabazar Office of District Education Officer, Balodabazar, District : Balodabazar-Bhathapara, Chhattisgarh
5. Director Local Fund Audit, Chhattisgarh Directorate, Local Fund Audit, Chhattisgarh Naya Raipur, Atal Nagar District - Raipur Chhattisgarh.

--- Respondents

For petitioner	– Ms. Deepali Pandey, Advocate.
For State	- Mr. Kunal Das, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

16-01-2020

1. Grievance of the petitioner is that the petitioner was appointed as Shiksha Karmi Grade-III in the year 1998. Subsequently his services were absorbed in the State on 18/08/2018 and the petitioner has completed 10 years of service in 2008 and 20 years of service in 2018 and no further promotion has been granted to the petitioner, therefore as per circular of the State dated 7/03/2019 the persons who could not get such promotion despite rendering particular period of service they are entitled for the higher pay scale. It is contended that the petitioner, therefore has filed an application Annexure P-1 to the District Education Officer which may be directed to be decided so that the petitioner can get higher pay scale

which is already covered under circular dated 7/03/2019 and subsequently direction have been issued to comply the circular by 6/04/2019.

2. In the given facts of this case, perusal of Annexure P-1 would show that the petitioner claims that he has rendered more than 20 years of service and has filed an application before the District Education Officer for entitlement of higher pay scale. Consequently, the application which is pending before the District Education Officer, it is directed that same may be decided within a period of 60 days from the date of receipt of this order. The State shall verify the services rendered by the petitioner and may pass suitable order and it goes without saying that if the petitioner is entitled for higher pay scale that may be granted so that second round of litigation is avoided.

3. With such observation, the petition stands disposed of.

Sd/-

**(GOUTAM BHADURI)
JUDGE**