

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 680 of 2020

Smt. Pooja Namdev W/o Ravi Raja Namdev Aged About 30 Years
Presently Working As Teacher (Panchayat) At Government Middle
School , Baghamuda, Block Pandariya , District Kabirdham
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development , Mantralaya , Mahanadi Bhawan , Naya Raipur , District Raipur Chhattisgarh.
2. Commissioner - Cum - Director Directorate Of Panchayat , Naya Raipur , District Raipur Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat , Kabirdham , District Kabirdham Chhattisgarh.
4. Chief Municipal Officer Nagar Panchayat , Gandai, District Rajnandgaon Chhattisgarh.

----Respondents

For petitioner- Shri C. Jayant K. Rao, Advocate.
For State-Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

30/01/2020

Heard.

1. The petitioner contends that initially the petitioner was appointed as Shiksha Karmi Grade-III on 20/07/2012 by Nagar Panchayat, Gandai. Subsequently she was selected and appointed to the post of Shiksha Karmi Grade-II on 31/12/2012 by the Zila Panchayat, Kabirdham. It is contended that past services of the petitioner are required to be considered for the purpose of revised pay scale which is decided in case of Shabnum Khatun in WPS No.6147/2018. He also submits that similar issue was considered in WPS No.4474/2019, therefore same order may be passed in this present writ petition too.
2. 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.”
3. Learned State counsel has no objection.
4. 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.
5. With such observation, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE