

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 987 of 2020**

Basant Kumar Sahu, S/o. Late Chinta Ram Sahu, Aged About 58 Years, R/o. Village And Post- Deori, Police Station - Rajim, Tahsil - Rajim, District – Gariyaband, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through Secretary Of Public Work Department, Mantralaya Capital Complex, Mahanadi Bhawan, Atal Nagar Naya Raipur, District - Raipur Chhattisgarh.
2. The Chief Engineer Of Public Work Department, Sector 19 Nirmad Bhawan Atal Nagar, Naya Raipur, District – Raipur, Chhattisgarh.
3. Executive Engineer, Public Work Department, Gariyaband Division District – Gariyaband, Chhattisgarh.
4. Sub Divisional Officer, Public Work Department, Sub Division Rajim District – Gariyaband, Chhattisgarh.

---- **Respondents**

For Petitioner : Mr. A.K.Yadav, Advocate

For State-Respondents : Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

14.02.2020

1. The petitioner contends that the petitioner claims for grant of pay scale of Rs.2550-3200 from the year 1981 as he was appointed on 13.12.1978. It is contended that as per the Governments' Circular dated 10-05-1984 (as issued by State of Madhya pradesh) upon completion of three years of service as his pendency as he his contingency employee by the time, the petitioner is entitled to regular pay scale. It is submitted that in some other case, similarly situated part-time sweepers have been granted such benefit upon completion of three years of service as contingency part time sweepers.

2. Learned counsel for the petitioner has referred to orders dated 19-07-2017 passed in WPS No. 3155/2017 and order dated 21-07-2010 passed by this Court in WPS No. 3510/2010. The aforesaid two orders was the petitions filed earlier were disposed off with direction to consideration of the claim.
3. Learned counsel for the State would submit that the petitioner's claim shall be examined on the basis of extent and applicable circulars issued by the Government from time to time. In the matter of grant of pay scale to contingency part time sweepers working by the State Government, including such circulars, if any, made applicable to the Public Works Department.
4. In the light of statement made by the learned counsel for the parties, I did not keep this matter pending. This petition, at this stage without commenting upon the merits of the case disposed off with direction to the respondent No. 3, Executive Engineer, Public Works Department, Gariyaband Division, District Gariyaband (C.G.) to examine the petitioner's claim under the applicable Government Circulars and take decision thereon within a period of three months from the date of receipt of copy of this order. Accordingly, the petition is disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks