

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2634 of 2020

- Rajesh Kumar Yadav S/o Shri Ram Lakhan Yadav Aged About 38 Years
R/o Village Kaskela, P.O. Salka (Aghina), P.S. Bhatgaon, Block
Bhaiyathan, District Surajpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Education,
Mantralay, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur
Chhattisgarh.
2. Secretary Tribal Welfare Department Mantralay, Mahanadi Bhawan, Atal
Nagar, Naya Raipur, District Raipur Chhattisgarh.
3. Director Directorate Of Public Education, Indrawati Bhawan, Atal Nagar,
Naya Raipur, District Raipur Chhattisgarh
4. Asst. Commissioner Tribal Welfare Chhattisgarh, Surajpur, District
Surajpur Chhattisgarh.
5. Collector Surajpur, District Surajpur Chhattisgarh.
6. District Education Officer Surajpur, District Surajpur Chhattisgarh
7. Block Education Officer Bhaiyathan, District Surajpur Chhattisgarh.
8. Headmaster Government Middle School, Kaskela, District Surajpur
Chhattisgarh.

---- Respondents

For Petitioner	:	Smt. Meena Shastri, Advocate.
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For State/ Respondents	:	Shri Ayaz Naved, G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order

10/07/2020

1. Heard.

2. Learned counsel for the petitioner would submit that the petitioner is working as part time Sweeper at Middle School, Kaskela District Surajpur which is under the Tribal Development Department.
3. It is contended that the petitioner is paid Rs. 2,025/- as wages up to November, 2019 and thereafter no payment has been made. It is further contended that as per Annexure P-6 order passed by the Collector under the Minimum Wages Act, 1948 dated 06.05.2020, the entitlement of the petitioner would be of Rs. 8,860 as minimum wages whereas meager amount has been paid. The reference is also made to the order passed by this Court in WPS No. 3998 of 2016 dated 23.08.2016 and would submit that the petitioner is also entitled for minimum wages as ordered by the Collector. In view of this the petitioner may be allowed to make a representation which may be considered in accordance with the order passed by the Collector wherein the minimum wages has been fixed and accordingly the wages may be paid along with the arrears.
4. Perused the order passed by the Collector which is annexed with the petition. The documents show that the petitioner is working as part time Sweeper at Middle School, Kaskela District Surajpur. The document Annexure P-6 would show that the order has been passed by the Collector wherein the minimum wages has been fixed. Therefore, taking into such fact, the petitioner shall be at liberty to make a representation within a period of four weeks from today before Respondent No. 6 along with all the relevant documents on the basis of that the petitioner is claiming the minimum wages as prescribed by the Collector. On such representation being filed, the

respondent No. 6 shall decide the same within a period of 4 months from the date of receipt of the representation taking into consideration the minimum wages declared by the Collector from time to time.

5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti