

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3973 of 2020**

- Surendra Kumar Chelak, S/o. Kumbhkalyan Chelak, aged about 35 years, Working as Lecturer (L.B.) at Govt. Higher Secondary School, Kachna, Block Kurud, District Dhamtari (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Department of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
3. Commissioner Cum Director, Directorate of Panchayat, Atal Nagar New Raipur, District Raipur (C.G.)
4. Chief Executive Officer, Zila Panchayat Dhamtari, District Dhamtari, (C.G.)
5. District Education Officer, Dhamtari, District Dhamtari (C.G.)

---- Respondents

For Petitioner : Shri Govind Dewangan, Advocate

For Respondents/State : Ms. Richa Shukla, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****08/10/2020**

1. The limited grievance which the petitioner has raised in this writ petition is that by virtue of order passed in WPS No.2530 of 2017 (***Mukesh Kumar Patel and another Vs. State of Chhattisgarh and another***) decided on 26.11.2017 the petitioner has been granted the benefit of revised pay scale on completion of 8 years of service.
2. Learned counsel for the petitioner submits that the grievance which now

remains is that the benefit is being provided to the petitioner prospectively and though the respondents have made a calculation which the petitioner is entitled from the date of his completion of 8 years but no effective orders have been passed nor have department taken any steps for release of the arrears of payment. The petitioner prays for appropriate direction to the respondents for releasing the said amount. According to the petitioner he had completed his 8 years of service on 30.08.2013 and accordingly he is entitled for the benefit of revised pay scale immediately on completion of 8 years of service. However, the benefit has been extended to the petitioner only from the year 2016. Thus the present writ petition has been filed seeking for direction to respondents to consider the claim of the arrears of benefit between 2013 to 2016.

3. Without entering into the merits of the case and taking into consideration the judgment of this Court in the case of *Mukesh Patel (supra)* which has also been affirmed by the Division Bench and taking note of the fact that the respondents have complied with the order to the extent of granting revised pay scale to the petitioner, let respondents No. 2 to 4 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioner is entitled for. Expecting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order the present writ petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge

Ashu