

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3947 of 2020**

- Abhishek Singh S/o Shri Vimal Kumar Singh Aged About 30 Years Working As Tuberculosis Health Visitor, R/o Ram Ashrey Bhawan, Arvind Nagar, Bandhwapara, Sarkanda, Bilaspur, Police Station - Sarkanda, Tahsil And District - Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, District - Raipur (Chhattisgarh)
2. Mission Director National Health Mission, 4th Floor, Housing Board Building, North-East Corner, Sector-27, Atal Nagar, Nava Raipur, District- Raipur (Chhattisgarh)
3. Chairman / Collector District Health Society, District- Bilaspur (Chhattisgarh)
4. Chief Medical And Health Officer District - Bilaspur, Nutan Chowk, Seepat Road, Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner : Shri S.P. Kale, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri**Order****07/10/2020**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner was appointed in the year 2017 as Tuberculosis Health Visitor on contract basis and the contact was extended from time to time. He would further submit that the petitioner while was rendering the services, he filed a writ petition bearing WPS

No.2551/2019 for equal pay and equal work, wherein notices were issued on 05.04.2019 (Annexure P-6). Thereafter, all of a sudden, the salary of the petitioner is not being paid from April, 2020 though certain days salary earlier to it have been paid. He would further submit that the petitioner is being told that unless & until he withdraws the earlier petition, his salary would not be released. He would further submit that under the circumstances, he initially made a representation to the Chief Medical & Health Officer, District Bilaspur and subsequently has made the representation to the Collector to release the salary and the same may be directed to be decided.

3. From the perusal of the documents, it appears that the petitioner has earlier preferred a writ petition bearing WPS No.2551 of 2019 wherein notices have been issued. In any case, irrespective of the outcome of the earlier writ petition, if the petitioner is still working and discharging his job, the salary cannot be withheld. Therefore, under the circumstances and for the reasons for which the petitioner has preferred the petition, the petitioner is directed to file the representation before the respondents No.3 & 4 within a period of two weeks from today and on such representation being filed, the office of respondents No.3 & 4 in co-ordination with each other will decide the representation of the petitioner within a period of three weeks from the date of receipt of the representation. It is further observed that if it is found that the salary of the petitioner is withheld without any reason, the same shall be released forthwith.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge