

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 400 of 2021

1. Jeetan Ram S/o Moharsai Ram, Aged About 43 Years Working As Peon, Govt. Middle School, Kudmura, Block Bagicha, District Jashpur Chhattisgarh.

---Petitioner(s)

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur Chhattisgarh
2. The Collector, Jashpur, District Jashpur Chhattisgarh.
3. The Assistant Commissioner, Tribal Welfare Department, District Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh
4. The District Education Officer, Jashpur, District Jashpur Chhattisgarh
5. The Block Education Officer, Bagicha, District Jashpur Chhattisgarh.
6. The Headmaster, Govt. Middle School, Kudmura, Block Bagicha, District Jashpur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Harish Khutiya, Advocate.
For State	:	Shri Sudeep Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.02.2021.

1. Learned Counsel for petitioner submits that the Petitioner was appointed on 20.07.1994 and therefore he is entitled to get the benefit of regular pay scale after completion of three years of service. He further submits that similar relief has already been granted to certain persons whose services were also regularised in the State Government. He refers to an order dated 28.9.2018 (Annexure P-5) and submits that in the likewise nature, few of the other persons, who were similarly placed, have been given the benefit of regular pay scale on completion of three years of service.
2. At this juncture, learned State Counsel submits that it would be better if the Petitioner files a detailed fresh representation before Respondent No.4 along with all relevant documents in support of his claim including the

orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case the representation is made, the Respondent No.4 shall decide the same within a further period of three months from the date of receipt of such representation.

3. The said proposal of learned State Counsel is acceptable to learned Counsel for Petitioners.
4. Accordingly, the present Writ Petition stands disposed of with liberty to the Petitioners to file a fresh detailed representation before Respondent No.4 along with all relevant documents in this regard whereby similar benefits were given to other persons, and on such representation being made, the Respondent No.4 shall decide the same within a period of 90 days from the date of receipt of such representation.
5. It is made clear that this Court has not expressed any opinion so far as the entitlement of the Petitioners is concerned. The authorities shall be free to take a decision purely in accordance with the rules governing the field.
6. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge