

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2070 of 2021**

- Premshankar Nayak, S/o Ramdhan Lal Nayak, aged about 49 years, posted as Vyayam Shikshak, Government Higher Secondary School Orda, Block Pusore, District Raigarh (CG)

... Petitioner**Versus**

1. State of Chhattisgarh, through Secretary, Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. District Education Officer, Raigarh, District Raigarh (CG)
3. Chief Executive Officer, Janpad Panchayat Pusore, District Raigarh (CG)
4. Block Education Officer, Pusore, District Raigarh (CG)

... Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For Respondents/State	:	Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/07/2021**

1. Grievance of Petitioner in the present Writ Petition is the non-granting of arrears of revised pay scale which the Petitioner would had been entitled for immediately on completion of eight years of service.
2. According to learned Counsel for Petitioner, the case of Petitioner is covered by a decision of this Court rendered in WPS No. 2530/2017 [Mukesh Kumar Patel & Anr. Vs. State of Chhattisgarh & Ors.] decided on 26.11.2017. Based on the aforementioned judgement, the Respondents have granted benefit of revised pay scale to the Petitioner with effect from 29.08.2005, however, he has not been paid the arrears of the same as he has completed eight years of service on 18.03.2002, and therefore, he was entitled for arrears from 2005 onwards.

3. Further contention of learned Counsel for Petitioner is that the Department has already made necessary preparation for grant of arrears, however, the actual payment has not been released.
4. Without entering into the merits of the case, taking note of the order passed by this Court in the case of "Mukesh Kumar Patel" (supra), this Court is of the opinion that the case of the Petitioner needs to be considered for grant of revised pay scale from the date he completes eight years of service which according to the Petitioner is 18.03.2002.
5. Accordingly, the Respondents No. 2 to 4 are directed to take an appropriate decision so far as the release of arrears is concerned. Let a decision in this regard be taken by the Respondents at the earliest, preferably within a period of 90 days from the date of receipt of copy of this Order.
6. With the aforesaid direction, the Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

sbarad