

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 1232 OF 2021**

Smt. Rama Nirala, W/o Kamlesh Kumar Nirala, aged about 35 years, working as Lecturer (L.B.), Govt. Higher Secondary School Semariya, Block and District Bemetara, District Bemetara (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Department of Panchayat & Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur (CG)
2. Commissioner cum Director, Directorate of Panchayat, Naya Raipur, District Raipur (CG)
3. Chief Municipal Officer, Nagar Panchayat, Ratanpur, Dist. Bilaspur (CG)
4. District Education Officer, Bemetara, District Bemetara (CG)
5. Chief Executive Officer, Jila Panchayat Bemetara, Dist. Bemetara (CG)

... Respondents

For Petitioner	:	Mr. Harish Khuntiya, Advocate.
For Respondents/State	:	Mr. Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/07/2021**

1. Learned Counsel for Petitioner submits that the issue involved in the present Writ Petition has already been considered and decided by this Court in WPS No. 4474 of 2019, therefore, the same order may be passed in the present Writ Petition also.

2. This Court in WPS No. 4474 of 2019 on 24.06.2019 has passed the following order:-

“1. The dispute raised in the present writ petition is the non-consideration of the case of the petitioner for grant of revised pay scale on completion of 8 years of service. The denial to the petitioner was that the petitioner has not completed 8 years of service under the same employer.

2. The grievance of the petitioner was that the petitioner was initially appointed under the Panchayat department and subsequently applied for recruitment on the higher post under the Nagariy Nikay in the year 2012 and taking both the services, the petitioner has completed more than 8 years of service and therefore he is entitled for the benefit of higher pay scale.

3. The counsel for the petitioner submits that the issue involved in the present writ petition is squarely covered by the

judgment of this Court in a bunch of writ petitions disposed off on 27.10.2018. The lead case of which being WPS No. 6147/2018 (Shabnum Khatun v. State of Chhattisgarh & Ors.)

4. This aspect is not disputed by the State counsel so far as the matter being similar to the one passed in the case of "Shabnum Khatun" (supra).

5. Given the facts and circumstances of the case the present writ petition also deserves to be and is accordingly disposed off in similar terms to the order passed in WPS No. 6147/2018 (Shabnum Khatun v. State of Chhattisgarh & Ors.).

6. The writ petition accordingly stands allowed. The petitioner would be entitled for the benefit as prayed for subject to the verification of the case by the Department."

3. Learned State Counsel has no objection.

4. It is ordered accordingly. The ratio laid down in the case (supra) shall

also govern the cause of *lis* in this case also and will have the same effect and operation.

5. With such observation, the present Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE