

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1505 of 2021

Fakira Yadav S/o Jeevan Lal Yadav, Aged About 45 Years Posted As Vyayam Shikshak, Government Higher Secondary School Ulkhar, Block Sarangarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through - The Secretary, Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. District Education Officer, Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat Sarangarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Block Education Officer, Sarangarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For State	:	Mr. Sudeep Verma, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/04/2021

1. Grievance of the 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, case of the Petitioner is covered by a decision of this Court 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. Further contention of learned Counsel for Petitioner is that the Department has already made necessary preparation for grant of arrears, however, actual payment has not been released.

3. 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 competes eight years of service, which according to the Petitioner is 18.03.2002.
4. Accordingly, the Respondents No. 2 to 4 are directed to take appropriate decision so far as 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.
5. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved