

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2165 of 2021

Pramod Kumar Kharya, S/o Late Shri Phoolchand Kharya, Aged About 54 Years Presently Working As Sub - Engineer In The Office Of Project Manager, Public Works Department (A D B Project), Chhattisgarh State Road Development Project, Division Baloda Bazar, District - Balodabazar - Bhatapara. Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh. Through - The Secretary, Public Works Department, Mahanadi Bhawan, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
2. Engineer In Chief, Public Works Department, Sector - 19 Nirmad Bhawan, New Raipur., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Ms. Hamida Siddiqui, Dy. A.G. Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01/04/2021

1. The challenge in the present writ petition is to the order Annexure P/1 dated 26.09.2019 whereby the claim of the petitioner for grant of regular pay-scale and seniority from the initial date of appointment has been rejected.
2. During the course of the hearing, the learned counsel for the petitioner submits that an identical writ petition consisting of around 50 petitioners i.e. WPS No. 958/2020 was disposed of by this Court setting aside the earlier order of the committee and remitting the matter back for a fresh consideration by the committee in the light of the order passed by this Court. According to the petitioner, the State Government has considering the observations of this Court reconstituted the committee

on 23.03.2021 and the matter is under consideration afresh for those 50 petitioners in such writ petition and therefore the case of the petitioner also since he is also identically placed can be sent back to the committee for a fresh consideration in the case of the petitioner also.

3. This aforesaid submission of the learned counsel for the petitioner is not opposed by the learned State counsel taking into consideration the order of this Court dated 24.02.2021 in WPS No. 958/2020.
4. Given the said submissions by the learned counsel for the parties and also taking note of the order of this Court dated 24.02.2021 in WPS No. 958/2020, the impugned order in the present writ petition for the same reason also would not be sustainable and the same also would be required to be reconsidered by the authorities concerned in terms of the order of this Court dated 24.02.2021.
5. Accordingly, the present writ petition stands allowed. The impugned order Annexure P/1 stands allowed in terms of the order passed by this Court in WPS No. 958/2020 decided on 24.02.2021. The impugned order Annexure P/1 stands set-aside/quashed and the matter stands remitted back to the authorities concerned i.e. the committee constituted by the State Government to reconsider the case of the petitioner in accordance with the directions given by this Court in its order dated 24.02.2021 referred to in the preceding paragraph.
6. With the aforesaid observations, the present writ petition stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge