

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 218 of 2021

Nahru Prasad Jangde S/o Sukhram Jangde Aged About 61 Years Working As Assistant Grade 2, Office Of Sub Divisional Officer, Water Resources Sub Division No. 02, Raipur , District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department Department , Mahanadi Bhawan , Mantralaya Atal Nagar , New Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Executive Engineer Water Resources Division, Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Sub Divisional Officer Water Resources Sub Division No. 2, Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---Respondents

For Applicant	:	Mr. K.P. Sahu, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/04/2021

1. The present MCC has been filed seeking modification of the contents of Annexure A/1 dated 03.03.2021, passed in WPS No. 872/2021.
2. The modification sought is to the extent that the observations that the appointment of the petitioner was on compassionate ground has been inadvertently reflected. So also the observation in the said paragraph that the petitioner till date has not received the annual increment also, has been inadvertently got mentioned, as the writ petition got disposed of in the light of a similar writ petition. The

factual matrix of that case being slightly different to the case of the present petitioner.

3. According to the petitioner, he was appointed by way of direct recruitment on 15.01.1988 and he has got the benefit of increment from 1994 onwards and the dispute of the petitioner is confined for grant of increment for the period between 1989 to 1993.
4. To the said modification sought for, the learned counsel for the State submits that since the direction is for deciding the representation, the entire claim of the petitioner shall be considered in accordance with the service records of the petitioner and also taking note of the factual matrix of the case in accordance with the Rules governing the field.
5. Given the said facts, the present MCC stands allowed. The order Annexure A/1 dated 03.03.2021 stands modified to the extent that paragraph No.2 shall be read as the petitioner has been appointed by way of a direct recruitment and that the claim of the petitioner is for grant of annual increment for the period between 1989 to 1993. The respondent authorities are expected to take a decision after due verification of the service record of the petitioner.
6. With the aforesaid observations, the present MCC stands allowed and disposed of.
7. Let a copy of this order be made part of the record of WPS No. 872/2021 decided on 03.03.2021.

Sd/-
(P. Sam Koshy)
Judge