

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2446 of 2021**

Vijay Kumar Chouhan S/o Chamar Singh, Aged About 45 Years,
 Posted As Vyayam Shikshak, Government Higher Secondary School
 Mahapalli, Post Loing, Block Raigarh, District Raigarh (C.G.), R/o.
 Ward No. 47, Indira Vihar Road, Vijaypur, Raigarh, District Raigarh
 Chhattisgarh

---- Petitioner**Versus**

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

---- Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.06.2021**

1. Grievance of the petitioner in the present Writ Petition is the non-granting of arrears of revised pay scale which the Petitioner would have 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 21.09.2005, however, he has not been paid the arrears of the same as he had 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 completes 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 after due verification of the entitlement, 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