

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2818 of 2021**

Vinay Kumar Mishra S/o Om Prakash Mishra Aged About 30 Years Working As Assistant Professor (Medical Physics), Department Of Radiotherapy, Regional Cancer Centre, Pt. J.N.M. Medical College, Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. The Director Directorate Of Medical Education (DME), Indravati Bhawan, Nava Raipur, Atal Nagar, District Raipur , Chhattisgarh
3. The Dean Pt. Jawaharlal Nehru Memorial Medical College, Raipur, District Raipur , Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vikas Dubey, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/06/2021**

1. Aggrieved by the action on the part of the respondents firstly in not releasing the salary to the petitioner since January, 2021 and secondly for not deciding the representation of the petitioner seeking renewal of his contractual appointment, the present writ petition has been filed.
2. The contention of the petitioner is that he has been working on contract basis under the respondents from the post of Assistant Professor (Medical Physics) in the Department of Radiotherapy at the Regional Cancer Centre, Pt. Jawaharlal Nehru Memorial Medical College, Raipur. The petitioner was appointed on a fixed consolidated pay of Rs. 65,000/-, which was subsequently enhanced to Rs.95,000/- per month. The contract period of the petitioner came to an end on

07.02.2021. Thereafter, the petitioner has moved an application/ representation seeking for renewal of his contractual appointment. It appears that because of the Pandemic situation faced by the State and the administrative reasons that followed the Pandemic situation, particularly the lock-down that was imposed in the District Raipur and subsequently in the entire State for a considerable long period of time, no decision seems to have been taken on the application for renewal. However, the petitioner during all these intervening period has been asked to continue with this service and he has been discharging his service uninterruptedly till now. However, from January, 2021 onwards he has not received any salary, thus he is finding it difficult to sustain himself and his dependents. The counsel for the petitioner also submits that the respondents also have not till date taken a decision on the application for renewal of the contract.

3. Given the limited grievance that the petitioner has and also considering the submissions that he has made that the petitioner has not been paid the salary for the last six months, in the opinion of this Court the writ petition at this juncture can be disposed of directing the respondents No. 2 & 3 to take immediate steps, firstly in releasing the entire salary for the petitioner from January, 2021 till date subject to his having discharged his duties during the said period and secondly the respondents No.2 & 3 are also directed to take an appropriate decision on the application of the petitioner for the extension of the contractual engagement. Let an appropriate decision in this regard be taken within a period of 45 days from the date of receipt of the copy of this order and within the same period, the respondents should also ensure

releasing of the unpaid salary for the petitioner during the period he has worked since January, 2021,

4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ned