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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 3127 of 2021**

Smt. Rajbati Banchhar W/o Late Shri Samnath Banchhar, Aged About 46 Years, R/o At Post Vikas Nagar, Kondagaon, District Kondagaon Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur, Chhattisgarh
3. Joint Director, Public Instructions, Baster Division, Jagdalpur Chhattisgarh
4. District Education Officer, Kondagaon, District Kondagaon, Chhattisgarh
5. Block Education Officer, Kondagaon, Block Kondagaon, District Kondagaon, Chhattisgarh

**---- Respondents**


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| For Petitioner | : | Mr. Dhani Ram Patel, Advocate |
| For State      | : | Mr. Kunal Das, P.L.           |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****01.07.2021**

1. The present petition under Article 226 of the Constitution of India has been filed by the widow of the deceased employee who has been denied the regular pay scale immediately on completion of 3 years service from the initial date of appointment.
2. Learned counsel for the petitioner submits that the husband of the petitioner was initially appointed on 02.12.1995 and subsequently was

regularized and he died in harness on 10.04.2018, therefore, he was entitled for grant of regular pay-scale after completion of three years service. He further submits that similar reliefs have already been granted to certain persons whose services were also regularized in the State Government in the year 2008. He refers to an order dated 23.01.2019 stating that the said order is in respect of identically placed persons.

3. At this juncture, learned State counsel submits that it would be better if the petitioner files a detailed fresh representation to respondent no.4 along with all relevant documents in support of her claim including the orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case representation is made, the respondent no.4 shall decide the same within a further period of three months from the date of receipt of the representation.
4. The proposal of the State counsel is acceptable to the counsel for the petitioner.
5. Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file a fresh representation to respondent no.4 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.4 shall dispose off the same within a period of 90 days from the date of receipt of the representation.
6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioner is concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.
7. No order as to costs.

**Sd/-  
P. Sam Koshy  
Judge**