

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3877 of 2021

Tamradhwaj Adile S/o Shri Tulsi Das Adile Aged About 31 Years
Occupation Service, Posted as Technician At Community Health Centre
Lormi, District Mungeli Chhattisgarh R/o Village Manikpur Post Dodhara, P.
S. and Tehsil Navagarh District Bemetara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, through Secretary, Medical and Family Welfare
Department, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur
Chhattisgarh
2. Directorate, Health Services, Indrawati Bhawan Raipur District Raipur
Chhattisgarh
3. Mission Director, National Health Mission, Naya Raipur District Raipur
Chhattisgarh
4. Chief Medical and Health Officer Mungeli, District Health Committee,
National Health Mission, District Mungeli Chhattisgarh
5. Collector Mungeli, District Mungeli Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Surfaraj Khan, Advocate.
For State	:	Mr. Amit Buxy, PL

Hon'ble Shri Justice P. Sam Koshy
Order on Board

29/07/2021

1. Petitioner seems to be aggrieved of the decision of the respondents in
paying less remuneration than what has been reflected in the order of
appointment as also what was mentioned in the advertisement pursuant to
which the appointment have been made.

2. According to the petitioner though both in the advertisement as also in the order of appointment the remuneration fixed for the post for which the petitioner was appointed was shown as 18000/-. However, the respondents are paying the petitioner remuneration of only Rs. 14000/- per month as against the 18000/- which was agreed upon.
3. Learned counsel for the respondents submits that the appointment has been made with a specific condition that remuneration would be that which would be prevailing as per the ROP that was issued periodically and as per the ROP 2017-18 the minimum remuneration is shown to be Rs.14000/- as would be evident from the Annexure P-5 dated 24.08.2018 whereby the CMHO, Mungeli as intimated a similarly placed person that remuneration stands amended/modified to 14000/- per month.
4. Counsel for the petitioner submits that his appointment has been made under the ROP 2016-2017 and ROP which is being referred to by the respondents is that which was issued in the year 2017-18 and subsequently therefore the said ROP would not be applicable. It would be the ROP of 2016-17 which would be governing the remuneration part so far as petitioner is concerned. The petitioner submits that he has already made a detailed representation in this regard to the authorities but till date they have not taken any decision.
5. Considering the entire facts and circumstances of the case, in the opinion of this Court the writ petition at this juncture can be disposed of directing the respondent no.3 & 4 to take appropriate decision in respect of remuneration that petitioner would be entitled for and while deciding they should categorically decide by a reasoned order as to under what circumstances the remuneration payable to the petitioner has been

reduced to an amount which was not otherwise quoted in the order of appointment and also in the advertisement.

6. Let a decision be taken by respondent no.3 & 4 within a period of 60 days from the date of receipt of copy of this order.
7. The petitioner in addition would be entitled for making a detailed representation supported with all relevant documents in support of his claim.
8. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit