

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4133 of 2021**

Yogesh Nishad S/o Late Shri V.R. Nishad Aged About 29 Years Posted As
Asst. Grade Iii Under The Office Of Commissioner, Tribal And Schedule
Caste Schedule Tribe Welfare Department Indravati Bhawan Atal Nagar,
District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Schedule Caste And
Schedule Tribe Development Department, Mantralay At Mahanadi Bhawan,
Atal Nagar, Nava Raipur, District Raipur Chhattisgarh
2. The Commissioner Schedule Caste And Schedule Tribe Development
Department Indravati Bhawan, Atal Nagar, Nava Raipur, District Raipur
Chhattisgarh
3. The Director Schedule Tribe, Search And Training Institute Raipur, District
Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Palash Tiwari, Advocate
For State	:	Mr. Ayaz Naved, GA

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

10/08/2021

1. The grievance of the petitioner in the present writ petition seems to be the
non granting of the salary to the petitioner since March, 2021 onwards.
2. According to the petitioner, subsequently his revocation of the order of
suspension he was permitted to resume his duties and respondents had
been paying the salary for a couple of months. However, since March,
2021 the salary has not been released till date. According to the petitioner,

he has also made repeated representations but the same have till date not been decided.

3. Counsel for the petitioner apprehends it is because of the confusion between respondent no.2 & 3 so far as actual place of posting of the petitioner which must have resulted in the non releasing of his salary. According to the petitioner at the time of suspension, he was working under the respondent no.2 and on the order of suspension his headquarters was changed and placed under the respondent no.3. Subsequently, on the revocation of the suspension the petitioner was ordered to continue to discharge his duties under the respondent no.3 which perhaps the respondent no.3 is not accepting and neither the respondent no.2 is permitting the petitioner to resume his duties at under the respondent no.2 either.
4. Given the aforesaid factual matrix of the case, let the matter of the petitioner be duly considered by the respondent no.2 & 3 within a period of 45 days from today. The respondent no.2 & 3 shall also decide on the aspect of releasing of the salary to the petitioner from March, 2021 onwards till date.
5. Let an appropriate decision be taken within a period of 45 days from the date of receipt of copy of this order.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge