

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4288 of 2021**

Arpita Thakur W/o Shri Deepak Pinde Aged About 36 Years Working As Lecturer (L.B.) And Posted At Government Girls Higher Secondary School Dhamdha District Durg Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Urban Administration And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. Commissioner Cum Director, Directorate Panchayat Department, Raipur, District Raipur Chhattisgarh
3. Chief Municipal Officer, Nagar Panchayat, Dhamdha District Durg Chhattisgarh
4. Block Education Officer, Block Dhamdha District Dhamdha Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Ms. Sunita Jain, GA

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

12/08/2021

1. Learned Counsel for Petitioner at the outset submits that the case of Petitioner is for grant of appropriate relief as that was granted by this Court in a batch of Writ Petitions decided on 3.11.2017, leading case of which is WPS No.4271/2017 titled as "Jayant Kumar Patle v. State of Chhattisgarh & Ors".
2. Learned Counsel for Petitioner submits that Petitioner has also made a similar representation to the Authorities for grant of similar relief, which is still pending consideration, and he makes a prayer to prefer a fresh representation for approaching the Authorities for the purpose of granting/releasing of revised pay scale and also the benefit of increments.

3. Learned Counsel for Petitioner further submits that the Petitioner has been deprived of the said two benefits on the ground of Petitioner not having qualified B.Ed. and D.Ed. and it is this very issue which stands decided in the case of Jayant Patle (supra).
4. Learned Additional Advocate General, appearing for Respondent/State on advance notice, submits that since the representation of Petitioner is pending consideration and that Petitioner also seeks liberty to file a fresh one, the Respondent authorities shall decide the same in accordance with law and after due verification of the entitlement of Petitioner
5. Given the facts and circumstances of the case, the present Writ Petition at this juncture is disposed of directing the Petitioner to prefer a fresh representation, in addition to the representation that he has already made, within a period of two weeks from the date of receipt of copy of this order and the Respondents in turn shall decide the same within a further period of 90 days from the date of receipt of copy of representation.
6. It is made clear that this Court has not expressed any opinion on the merits of the case so far as entitlement of Petitioner is concerned. The Authorities shall decide the representation of Petitioner strictly comparing the case of Petitioner with that of the order passed by this Court in the case of Jayant Patle (supra).
7. Writ Petition accordingly stands disposed of with the aforesaid direction/observations.

Sd/-
(P. Sam Koshy)
Judge