

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4638 OF 2021**

- Hari Ram Verma, S/o Shri Sukhi Ram Verma, aged about 60 years, R/o Adarshnagar, Mova, Police Station Pandari, Tahsil Raipur, District Raipur (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Department of Veterinary Services, Mantralaya, Capital Complex, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur (CG)
2. The Director, Department of Veterinary Services, Mantralaya, Capital Complex, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur (CG)
3. Registrar, Chhattisgarh Rajya Gousew Ayoug, Raipur, Department of Veterinary Services, Brahman Para, Near Kankalin Hospital, Raipur, Police Station Azad Chouk, Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Mr. Akath Kumar Yadav, Advocate.
For Respondents	:	Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/09/2021**

1. Learned Counsel for Petitioner submits that he has already filed the typed copy of the document on which the objection has been raised by the Registry of this Court. In view of the same, the default pointed out by the Registry in the instant case as of now stands ignored.
2. Petitioner through the present Writ Petition has claimed for grant of regular pay scale from the date of initial appointment i.e. 23.9.1985. He was appointed initially on the post of Veterinary Attendant in Class-IV cadre. Subsequently, his services got regularized vide Order dated 5.6.1989.
3. Learned Counsel for Petitioner submits that the Petitioner's appointment was against the sanctioned vacant post and his initial appointment was on ad-hoc basis which was subsequently confirmed by way regularization and therefore he should be granted the benefit of regular pay scale from the date of his initial appointment.

4. Learned Counsel for Petitioner further submits that in a similar matter of the same Department, this Court vide its Order dated 24.7.2018 passed in W.P.(S) No.4732/2018 had disposed of the said Writ Petition for deciding the claim of Petitioner therein upon the representation being made. Thereafter, the Department has vide its Order dated 1.5.2019 granted the similar benefits to similarly placed persons and therefore the Petitioner herein also prays for a relief of identical nature.

5. To this limited prayer for deciding the representation of Petitioner at par with similarly placed persons in the light of the Order dated 24.7.2018 passed in W.P.(S) No.4732/2018, learned Government Advocate does not have any objection. However, learned Government Advocate submits that the claim of Petitioner would be decided subject to verification of the entitlement part in accordance with rules, regulations and circulars governing the field.

6. In view of above, the present Writ Petition is also disposed of permitting the Petitioner to approach the Respondents by way of a fresh representation in addition to any representation, if any, made in the past and the Respondents No.2 & 3 shall take appropriate decision on the claim of Petitioner, at the earliest, preferably within a period of 90 days from the date of receipt of fresh representation by Petitioner.

7. While deciding the claim of Petitioner, the Authorities are also expected to take into consideration the claim of Petitioner of similar benefits being granted to similarly placed persons by the Department vide its Order dated 1.5.2019.

8. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE