

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5214 of 2020**

1. Kamleshwar Prasad Nishad Son Of Shri Murari Lal Nishad Aged About 40 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Paraswani, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
2. Hemant Kumar Yadu Son Of Shri Prem Lal Yadu Aged About 41 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Sonasilly, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
3. Smt. Manju Tandan Wife Of Shri Sanjay Kumar Joshi Aged About 38 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Gopalpur, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
4. Narottam Kumar Thakur Son Of Shri Manrakhan Singh Thakur Aged About 40 Years Working As Lecturer (L.B.) And Posted At Govt. Upper Primary School Chhoteloram, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
5. Ydhishthir Sahu Son Of Shri Sudarshan Sahu Aged About 43 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Charbhatha, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
6. Kalpana Seti Daughter Of Shri Krishna Swamy Sethi Aged About 38 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Belsonda, Block Mahasamund, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
7. Girdhar Patel Son Of Gyannarayan Patel Aged About 36 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Kishanpur, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
8. Subhash Sahu Son Of Gahakee Sahu Aged About 45 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Charbhatha, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
9. Gunsagar Nayak Son Of Shri Vishwanath Nayak Aged About 41 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Saldih, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
10. Omprakash Pradhan Son Of Shri Rishikesh Pradhan Aged About 33 Years Working As Lecturer (L.B.) And Posted At Govt. Middle

School Badetemri, Block Pithora, District Mahasamund (Chhattisgarh),
District : Mahasamund, Chhattisgarh

11. Vijay Rajput Son Of Shri Raj Narayan Singh Rajput Aged About 41 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Sankra Jonk, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
12. Neeta Sahu Daughter Of Shri Vishwanath Sahu Aged About 33 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Bhithidih, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
13. Smt. Durgesh Nandini Yadu Wife Of Shri Hemant Yadu Aged About 36 Years Working As Lecturer (L.B.) And Posted At Govt. H.S.S. Boys Jhalap, Block Mahasamund, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
14. Hem Lal Diwan Son Of Anjor Singh Diwan Aged About 40 Years Working As Teacher (L.B.) And Posted At Govt. Upper Primary School Kanchanpur, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
15. Subhash Singh Son Of Shri Devraj Singh Aged About 47 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Savitripur, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
16. Smt. Padmini Nasine Wife Of Bharat Bhushan Nasine Aged About 38 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Patewa, Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya Atal Nagar New Raipur, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Director Panchayat Department Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Chief Executive Officer Zila Panchayat Mahasamund, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
4. Block Education Officer Block Pithora, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh

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For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

14.01.2021

1. The limited grievance which the petitioners have raised in the present writ petition by virtue of the order passed by this Court in the case of Mukesh Kumar Patel Vs. State of Chhattisgarh, WPS No. 2530/2017 decided on 26.11.2017 have been granted benefit of revised pay scale on completion of 8 years of service.
2. Learned counsel for the petitioners submits that the grievance which now remains is that the benefit is being provided to the petitioners prospectively and though the respondents have made a calculation which the petitioners are entitled from the date of their completion of 8 years of service but no effective orders have been passed nor the department has taken any steps for release of the arrears of payment. The petitioners pray for appropriate direction to the respondents for releasing the said amount.
3. Without entering into the merits of the case and taking into consideration the judgment of this Court in the case of Mukesh Patel (Supra) which has also been affirmed by the Division Bench and taking note of the fact that respondents have complied with the order to the extent of granting revised pay scale to the petitioners, let respondents No. 2 to 4 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioners are entitled for.

Expecting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order.

4. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge

Jyotijha