

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 5001 OF 2020**

- James Kujur, S/o Kurlu Ram, aged about 43 years, Teacher (L.B.), Govt. Middle School, Chindvani, Block Pali, District Korba (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. The Secretary, Department of Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
3. Commissioner-cum-Director, Directorate of Panchayat, Atal Nagar, Raipur, District Raipur (CG)
4. Chief Executive Officer, Zila Panchayat, Korba, District Korba (CG)

... Respondents

For Petitioner	:	Mr. C.J.K. Rao, Advocate.
For Respondents/State	:	Mr. V.R. Tiwari, Addl. A.G., along with Mr. Sudeep Verma and Mr. Rahul Jha, Dy. G.As.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/01/2021**

1. Grievance of the Petitioner in the present Writ Petition is the non-granting of arrears of revised pay scale which the Petitioner would had been entitled for immediately on completion of eight years of service.
2. According to learned Counsel for Petitioner, case of the Petitioner is covered by a decision of this Court in WPS No. 2530/2017 [Mukesh Kumar Patel & Anr. Vs. State of Chhattisgarh & Ors.] decided on on 26.11.2017. Based on the aforementioned judgement, the Respondents have granted benefit of revised pay scale to the Petitioner with effect from 21.2.2017, however, he has not been paid the arrears of the same as he has completed eight years of service on 23.1.2015, and therefore, he was entitled for arrears for the period between 2015 to 2017. Further contention of learned Counsel for Petitioner is that the Department has already made necessary preparation for grant of arrears, however, actual payment has not been released.
3. Without entering into the merits of the case, taking note of the order passed by this Court in the case of Mukesh Kumar Patel (supra), this Court is of the opinion that the case of the Petitioner needs to be considered for grant of revised pay scale from the date he competes eight years of service, which according to the Petitioner is 23.1.2015.

4. Accordingly, the Respondents No. 2 to 4 are directed to take appropriate decision so far as release of arrears is concerned. Let a decision in this regard be taken by the Respondents at the earliest, preferably within a period of ninety days from the date of receipt of copy of this order.

5. Writ Petition accordingly stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE