

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4908 OF 2020**

- E Nageshwar Rao, S/o Late E Kondaiha, Aged About 57 Years, Presently working as Lab Attendant Class IV Employee at District Veterinary Research Laboratory, Durg, District Durg (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Department of Veterinary Services, Mantralaya, Capital Complex, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur (CG)
2. The Director, Department of Veterinary Services, Mantralaya, Capital Complex, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur (CG)
3. Joint Director, Department of Veterinary Services, Mandi Gate. Pandari, Raipur Division, District Raipur (CG)
4. Deputy Director, Department of Veterinary Services, District Durg (CG)

... Respondents

For Petitioner	:	Mr. Vikash Pandey, Advocate.
For Respondents/State	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/01/2021**

1. Grievance of the Petitioner in the present Writ Petition is the erroneous pay scale that the Petitioner is being paid on the promotion to the post of Lab Attendant.
2. According to learned Counsel for Petitioner, vide Annexure P-1, dated 29.11.1985, the Petitioner had been regularized on the post of Lab Attendant on the pay scale of Rs. 750-12-870-14-940, however, the Petitioner is being paid the wages and the pay scale of Rs. 725-10-735-12-855-900. As per learned Counsel for Petitioner, when the Petitioner has been regularized on the post of Lab Attendant, he is entitled for salary payable to the Lab Attendant as mentioned in the order of appointment/promotion itself and that the Petitioner cannot be construed by a Veterinary Attendant and paid less amount unless there was an order passed by the authorities in this regard. He submits that the Petitioner has been repeatedly approaching the authorities right from the initial stage but till date his grievance has not been redressed nor his representations have been decided. He further submits that granting of erroneous pay scale is recurring cause of action and therefore the issue of delay would not be attracted in the instant case.

3. Learned Additional Advocate General submits that since the decision has to be taken at the end of the Respondent authorities, which is still pending, let appropriate directions be given to Respondent No.2 to take appropriate decision on the representations that the Petitioner has made.

4. Accordingly, the Respondent No.2 is directed to take appropriate decision on the representations of the Petitioner so far as the erroneous pay scale which is said to have been paid to the Petitioner is concerned. Let a decision in this regard be taken at the earliest, preferably within a period of ninety days from the date of receipt of copy of this order.

5. Petitioner would also be at liberty to file a fresh representation in addition to any representation which is pending before the authorities.

6. Writ Petition accordingly stands disposed of.

/Sharad/

Sd/-
(P. Sam Koshy)
JUDGE