

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4967 of 2020

1. Vinod Shrivastava S/o T.L. Verma Aged About 49 Years Lecturer (L.B.) Presently Posted At Govt. High School Kholwa, Block S.Lohara, District Kabirdham, Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through, Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. District Education Officer Kabirdham, District Kabirdham, Chhattisgarh.
3. Chief Executive Officer Zila Panchayat Kabirdham, District Kabirdham, Chhattisgarh.
4. District Project Coordinator Rajeev Gandhi Shiksha Mission, Kabirdham, District Kabirdham, Chhattisgarh.
5. Principal Higher Secondary School, S. Lohara, District Kabirdham, Chhattisgarh.

---Respondents

For Petitioner	:	Shri C Jayant K Rao, Advocate.
For State	:	Shri Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07.01.2021

1. The limited grievance that the petitioner has in the present writ petition is in respect of the non granting of salary by the authorities during which the petitioner was on medical leave i.e. between 11.11.2014 to 17.06.2015.
2. According to the petitioner he had availed medical leave in accordance the rules and he has completed all the requisite formalities for availing the said medical leave and formalities attached to that. Further, the petitioner has sufficient medical leave in his credit also and thereby he ought to had been paid the salary for the aforementioned period.
3. The State counsel on advance notice submits that since it is only a dispute of non releasing of the salary during the period under which the petitioner has availed the medical leave, the respondents may be directed to take appropriate decision in accordance with rules and regulations governing

the field so far as granting of salary against medical leave, subject to due verification of the records and facts so far as the entitlement of the petitioner is concerned and also the requirement of the petitioner to fulfill the requisite formalities.

4. In the light of the submissions made by the counsel appearing for the State, the writ petition stands disposed of directing the respondents No.2 to 5, to immediately process the claim of the petitioner so far as grant of medical leave is concerned and appropriate decision be taken at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder