

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5994 of 2021**

- Leela Prasad Rathia S/o Shri Mahettar Singh Rathia, Aged About 35 Years Working As Teacher (L.B.), At Govt. Middle School Barbhouna, Block Kharsia, District Raigarh (C.G.)

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Secretary Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur District Raipur (C.G.)
3. Commissioner Cum Director Directorate Of Panchayat, Atal Nagar New Raipur, District Raipur (C.G.)
4. Chief Executive Officer Zila Panchayat Raigarh, District Raigarh (C.G.)
5. District Education Officer District Raigarh (C.G.)
6. Block Education Officer Kharsia, District Raigarh (C.G.)

**---- Respondents**


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|----------------|---|----------------------------------|
| For Petitioner | : | Shri Govind Dewangan, Advocate   |
| For State      | : | Shri Ghanshyam Patel, Govt. Adv. |

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**S.B.: Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****27/10/2021**

Heard.

1. Learned counsel for the petitioner would submit that the issue raised in this petition is covered by decision rendered by this Court in the case of *Nehru Singh Kanvar v. State of Chhattisgarh and ors.* ( WPS No.122/2020).
2. Relevant paragraphs are quoted as under -
  - “2. Learned counsel for the petitioner submits that similarly situated persons have filed WPS No.95 of 2019 and WPS No.99 of 2019 for grant of arrears of pay-scales wherein this Court has

passed the following order :

“2. The limited grievance which the petitioner has raised in this writ petition by virtue of 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 has been granted benefit of revised pay scale on completion of 8 years of service.

3. Learned counsel for the petitioner submits that the grievance which now remains is that the benefit is being provided to the petitioner prospectively and though the respondents have made a calculation which the petitioner was entitled for from the date of his completion of 8 years of service but no effective orders have been passed nor have department taken any steps for release of the arrears of payment. The petitioner prays for appropriate direction to the respondents for releasing the said amount.

4. 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 the respondents have complied with the order to the extent of granting revised pay scale to the petitioner, let respondents 2 & 3 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioners are entitled for. Excepting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order, the present writ petition stands disposed off.”

3. xxx xxx xxx xxx

4. The order passed in WPS No. 95 of 2019 and WPS No.99 of 2019 (supra) shall also be applicable to the case of present writ petitioner. It is directed that respondents 3 & 4 shall take appropriate decision at the earliest for releasing the arrears of payment which the petitioner is entitled for. It is expected that a decision shall be taken within a period of 90 days from the date of receipt of this order.”

3. This petition is disposed of in terms of order passed in the case of **Nehru Singh Kanvar** (supra). No order as to cost(s).

Sd/-  
( **Sanjay K. Agrawal** )  
Judge