

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5441 of 2020**

Atbal Sai S/o Shri Ram Sai, Aged About 43 Years, Working As Teacher (L.B.) At Govt. Middle School Dumarbahar, Block Pathalgaon, Tahsil Pathalgaon, District Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Of Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Chhattisgarh
2. Commissioner Cum Director, Directorate Of Panchayat, Naya Raipur, District Raipur, Chhattisgarh
3. District Education Officer, Jashpur, District Jashpur, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Jashpur, District Jashpur, Chhattisgarh
5. Block Education Officer, Pathalgaon, District Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manoj Chauhan, Advocate
For State	:	Mr. Amit Buxy, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****21.01.2021**

1. Heard counsel for the parties.
2. Petitioner has preferred this writ petition praying for a direction to the respondents to consider and count his earlier service for grant of

revised pay scale without insisting upon NOC.

3. The petitioner was initially appointed as Shiksha Karmi Grade-III by the Chief Executive Officer, Janpad Panchayat, Bagicha, District Jashpur on 04.06.2005 and thereafter on 24.07.2008 he was appointed as Shiksha Karmi Grade-II by CEO Zila Panchayat, Jashpur. The respondents are not considering his earlier service for revised pay scale for want of NOC from earlier Panchayat.
4. Counsel for both the parties submit that the matter is squarely covered by the orders of this Court dated **28.11.2017** passed in **WPS No.2530/2017 (Mukesh Kumar Patel and anr. Vs. State of Chhattisgarh and another)** and dated **26.06.2018** passed in **WPS No.4138/2018 (Smt. Rashmi Singh Raj Vs. State of Chhattisgarh and another)**.
5. In view of above submission and the aforesaid orders passed by this Court, the present writ petition is also allowed with the direction that the petitioner is entitled to obtain the benefit of revised pay scale on completion of 8 years service including the services rendered by him on a lower post or on the same post.
6. It is made clear that this Court has not expressed any opinion on the merits of the case.

Sd/-
P. Sam Koshy
Judge