

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5437 of 2020**

Girish Kumar Kashyap S/o Late Shri Mehtar Ram Kashyap, Aged About 63 Years, Retired Peon From Government Higher Secondary School, Adenga, Block Keshkal, District Kondagaon Chhattisgarh. R/o Shantinagar (Near College) Keshkal, District Kondagaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, New Raipur Chhattisgarh, District Raipur Chhattisgarh
2. The Director, Public Instructions, Raipur, Block - 3, Indravati Bhawan, District Raipur, Chhattisgarh
3. District Education Officer, Kondagaon, District Kondagaon, Chhattisgarh
4. Block Education Officer Kondagaon, District Kondagaon, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. S. B. Pandey, Advocate
For State	:	Mr. Avinash Singh, P.L.

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

1. The present writ petition has been filed claiming for the relief of regular pay scale from the initial date of appointment of the petitioner i.e. 26.12.1995.
2. According to the counsel for the petitioner, the petitioner ought to have

been granted regular pay scale from the initial date of appointment i.e. 26.12.1995 or at at least could have been granted on completion of 3 years under the contingency establishment.

3. Perusal of the pleadings and the documents enclosed along with the writ petition it clearly reflects that the initial appointment of the petitioner was purely on daily wage basis under the collectorate rate and the appointment was again temporary and casual in nature. Further from the documents it reflects that for the first time the petitioner was brought under the contingency establishment w.e.f. 08.09.2008 onwards and since then the petitioner has been getting the benefit of regular pay scale and other benefits payable to an employee under the contingency establishment.
4. In view of the aforesaid documentary proof available and the pleadings, this Court does not find any strong case made out by the petitioner for grant of any regular pay scale for the period during which his appointment was substantively a casual daily wage employee and moreover not under the contingency establishment.
5. The writ petition thus being devoid of merits deserves to be and is accordingly rejected.

Sd/-
P. Sam Koshy
Judge