

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 198 of 2021**

1. Arun Kumar Sahu Son Of Dhaniram Sahu Aged About 39 Years Presently Posted As Post Of Dresser At Primary Health Center Dalhapodi, Tahsil Akaltara, Resident Of Village Kotmi Sonar District- Janjgir-Champa (Chhattisgarh)
2. Dhanjay Kumar Nirala Son Of Alagram Aged About 38 Years Presently Posted As Post Of Dresser At Primary Health Center Dhurkot Tahsil Nawagarh Resident Of Village Kera Road Janjgir, District- Janjgir-Champa (Chhattisgarh)
3. Vishnu Charan Patel Son Of Late Bhagirathi Patel Aged About 40 Years Presently Posted As Post Of Dresser At Primary Health Center Kotmisonar, Tahsil- Akaltara, Resident Of Akaltara, District- Janjgir-Champa (Chhattisgarh)
4. Baldau Dewangan Son Of Ramnath Dewangan Aged About 38 Years Presently Posted As Post Of Dresser At District Hospital Janjgir, Resident Of Janjgir, District Janjgir-Champa, Chhattisgarh
5. Rajola Prasad Banjare Son Of Nandas Banjare Aged About 38 Years Presently Posted As Post Of Dresser At Primary Health Center Hasoud, tehsil Jaijaipur, Resident Of Village Baistra, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh
6. Prajeet Mahipal Son Of Padum Lal Aged About 34 Years Presently Posted As Post Of Dresser At Primary Health Center Nariyara, Tehsil Akaltara, Resident Of Village Nariyara (Akaltara) District Janjgir-Champa, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mahanadi Bhavan Mantralaya, Atal Nagar Raipur, District- Raipur (Chhattisgarh)
2. The Director Department Of Health Services, Raipur, District- Raipur (Chhattisgarh)

3. Chief Medical And Health Officer Janjgir-Champa (Chhattisgarh) District-
Janjgir-Champa (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Ajit Singh, Advocate
For State	:	Mr. Kapil Maini, PL

Hon'ble Shri Justice P. Sam Koshy
Order on Board

02/02/2021

1. The grievance of the petitioners in the present writ petition is in respect of claim of the petitioners for grant of first pay scale on completion of 10 years of regular service.
2. According to the petitioners they have been holding the post of Dresser for the past more than 10 years and that the service conditions of the petitioners are governed by the Chhattisgarh Public Health and Family Welfare Department Non Ministerial (Related to the Directorate of Health Service) Class III Service Recruitment Rule 1989. According to the petitioners on completion of 10 years of regular service they would be entitled for the first higher pay scale of 5200-20020 + Grade Pay of 2400/- as compared to the present pay scale which the petitioners are presently drawing i.e. 5200-20020 + Grade Pay of 1900/-.
3. Counsel for the petitioner submits that whole confusion arose on account of couple of amendments to the rules that were introduced in between and claim of the petitioners is under active consideration before respondent no.2 & 3 for a long time but no decision has been taken in this regard. Counsel for the petitioner submits that let the present writ petition at this juncture stands disposed of directing the respondent no.2 & 3 to take a decision on the same taking into consideration the rules governing the

field. He further makes a prayer that in addition to all those representations that they have made, let they be granted another opportunity to make a fresh detailed representation supported with all relevant documents in support of their contentions.

4. The limited prayer is not opposed by the State counsel.
5. Accordingly, the writ petition stands disposed of directing the respondent no.2 & 3 to take appropriate decision at the earliest within a period of 90 days from the date of receipt of copy of this order.
6. Authorities concerned are expected to consider the representation of the petitioners objectively and in case if the petitioners are entitled for the benefit the same should also be extended at the earliest.
7. With the aforesaid observations, the present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit