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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6705 of 2021

Bhupendra Prasad Vaishnav S/o Chandrika Prasad Vaishnav Aged About 47 Years Working As Vyayam Teacher (L.B.) (Pti), Govt. Higher Secondary School, Kusmi, Block-Berla, District Bemetara Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan Atal Nagar, Naya Raipur Chhattisgarh.
2. Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan Atal Nagar, Naya Raipur Chhattisgarh.
3. Commissioner -Cum-Director, Director, Directorate of Panchayat, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
4. Director Public Instructions Raipur, District Raipur Chhattisgarh.
5. Collector, Bemetara, District Bemetara, Chhattisgarh.
6. Chief Executive Officer Jila Panchayat, Bemetara, District Bemetara Chhattisgarh.
7. District Education Officer Bemetara, District Bemetara Chhattisgarh.

-----Respondents

For Petitioner	:	Mr. Harish Khuntiya, Advocate
Respondents/State	:	Mr. Kunal Das, PL

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

07.12.2021

1. The limited grievance, which the petitioner has raised in the present writ petition by virtue of the 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.

2. 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 from the date of his completion of 8 years of service, but no effective order has been passed nor the department has taken any steps for release of the arrears of payment. The petitioner pray for appropriate direction to the respondents for releasing the said amount.
3. 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 respondents have complied with the order to the extent of granting revised pay scale to the petitioner, let respondents No.2 & 3 take an appropriate decision at the earliest, so far as release of the arrears of payment is concerned, which the petitioner is entitled for. The petitioner is also directed to furnish the representation before the said authorities as well. It is expected from the concerned authorities that he shall take decision in this regard within a period of 90 days from the date of receipt of a copy of this order and/or from the date of receiving representation of the petitioner.
4. The writ petition is accordingly stands disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge