



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 764 of 2023

- Devendra Mishra S/o Lala Ram Mishra Aged About 52 Years Posted As Vyapam Shikshak, Government Higher Secondary School, Kotra, Block Raigarh, District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department Mahanadi Bhavan, Atal Nagar, Nawa Raipur (C.G.)
2. District Education Officer Raigarh, District : Raigarh, Chhattisgarh
3. Chief Executive Officer Zila Panchayat Raigarh, District : Raigarh, Chhattisgarh
4. Chief Executive Officer Janpad Panchayat Raigarh, District : Raigarh, Chhattisgarh
5. Block Education Officer Raigarh, District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner : Shri SP Sannat and Shri Basant Kaiwartya, Advocates

For Respondents ; Shri Vaibhav Singh, PL

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

24.01.2023

1. Heard.

2. Grievance of petitioner in present writ petition is non-granting of arrears of revised pay scale which petitioner would had been entitled for immediately on completion of eight years of service.

3. According to learned counsel for petitioner, case of petitioner is covered by decision of this Court rendered in WPS-2530 of 2017 (Mukesh Kumar Patel and another Vs State of Chhattisgarh and others), decided on 26.11.2013. Petitioner was granted benefit of revised pay scale pursuant to order dated 17.05.2013, from 05.03.2007, however, monetary benefit of same was extended to petitioner only from the date of order. Petitioner is entitle for arrears of revised pay scale from the date when he completed 8 years of service till date of order granting benefit of revised pay scale. He also submits that respondent-4 has also calculated pay to



be paid to petitioner revised pay scale, however, actual payment is not received by him.

4. Without entering into merits of case, taking note of order passed by this Court in case of **Mukesh Kumar Patel** (supra), this Court is of the opinion that the case of petitioner needs to be considered for grant of revised pay scale from the date he completes eight years of service which according to petitioner is 05.03.2007.

5. Accordingly, respondents-2 to 4 are directed to take appropriate decision so far as release of arrears is concerned. Let a decision in this regard be taken by respondents at the earliest, preferably within a period of 90 days from the date of receipt of copy of order passed by this Court, keeping in mind decisions of **WPS-2530 of 2017** (Mukesh Kumar Patel and another Vs State of Chhattisgarh and another) and **WPS-5328 of 2021** (Avinesh Kumar Namdev and others Vs State of Chhattisgarh and others).

6. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE