



NAFR

HIGH COURT of CHHATTISGARH, BILASPUR

W.P.(S) No. 459 of 2023

Fanindra Kumar Choudhary S/o Khuleshwar Choudhary Aged About 50 Years Posted As Vyapam Shkshak (L.B.), Government Higher Secondary School, Taraimal, Block Tanmar, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department Mahanadi Bhavan, Atal Nagar Nawa Raipur, District : Raipur, Chhattisgarh
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 Basant Kaiwartya, Advocate
For State	:	Shri Akash Pandey, P.L.

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

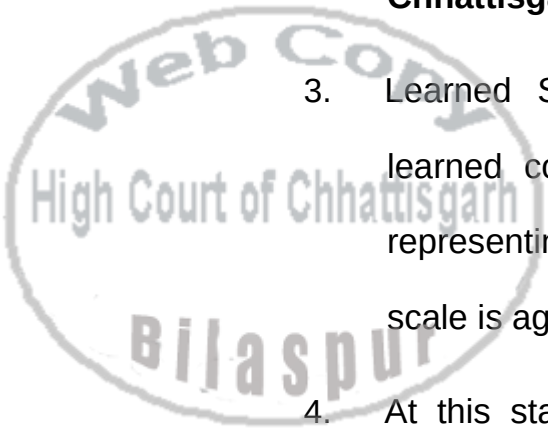
19/01/2023

1. Grievance of petitioner in the present writ petition is the non-granting of arrears of revised pay scale which petitioner would had been entitled from the date of completion of eight years of service.
2. Learned counsel for petitioner submits that though respondent No.3 had granted benefit of revised pay scale pursuant to the order passed by State Government mentioning w.e.f. 01.09.2006, however, monetary benefit of revised pay scale is



extended only from the date of order and not from the date when petitioner became entitled for the revised pay scale after completion of eight years of service. He submits that issue with regard to grant of revised pay scale from completion of 8 years of service was considered by this Court in WPS No. 2530 of 2017 (**Mukesh Kumar Patel and another versus State of Chhattisgarh and another**), therefore, petitioner is entitled for arrears of revised pay scale from the date of completion of eight years of service till the date of order. He also placed reliance in case of **Avinesh Kumar Namdev and Ors. Vs. State of Chhattisgarh and Ors** (WPS No. 5328 of 2021).

3. Learned State counsel opposing the submission made by learned counsel for petitioner would submit that he is only representing State. Claim for grant of arrears of revised pay scale is against respondent No.3.
4. At this stage, learned counsel for petitioner submits that as petitioner has already submitted representation before respondent No.3, a direction be issued to respondent No.3 to consider and decide the pending representation submitted by petitioner expeditiously within specified time.
5. I have heard learned counsel for parties and perused the documents placed on record.
6. Taking into consideration the nature of grievance raised, submission of learned counsel for parties, particularly the submission of learned counsel for petitioner that petitioner has already submitted representation before respondent No.3, this petition is disposed off directing respondent No.3 to consider





and decide the pending representation dated 30.12.2022 submitted by petitioner within period of six weeks from the date of receipt of copy of order passed by this Court keeping in mind decision rendered in the case of **(Mukesh Kumar Patel and another** (supra) and **Avinesh Kumar Namdev** (supra).

7. With the aforementioned observation and direction, the writ petition stands disposed of.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)

Judge

