



NAFR

**HIGH COURT of CHHATTISGARH, BILASPUR**

**W.P.(S) No. 902 of 2023**

1. Teekam Chand Kanwar S/o Late Shri Radhelal Kanwar Aged About 38 Years Working As Assistant Teacher (L.B.), And Posted As Govt. Primary School Markaksa, Block Chhuriya, District Rajnandgaon Chhattisgarh
2. Sunil Kumar Dewangan S/o Shri Khuman Singh Aged About 42 Years Working As Assistant Teacher (L.B.) And Posted As Govt. Primary School Markaksa, Block Chhuriya, District Rajnandgaon Chhattisgarh

---- **Petitioners**

**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya New Raipur District Raipur Chhattisgarh
2. Director Panchayat And Rural Development Department, Indravati Bhawan, Raipur, District Raipur Chhattisgarh
3. Chief Executive Officer Zila Panchayat Rajnandgaon District Rajnandgaon Chhattisgarh

---- **Respondents**

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For Petitioners	:	Shri Shashi Kumar Kushwaha, Advocate
For State	:	Shri Shubham Verma, P.L.

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

**Order On Board**

**02/02/2023**

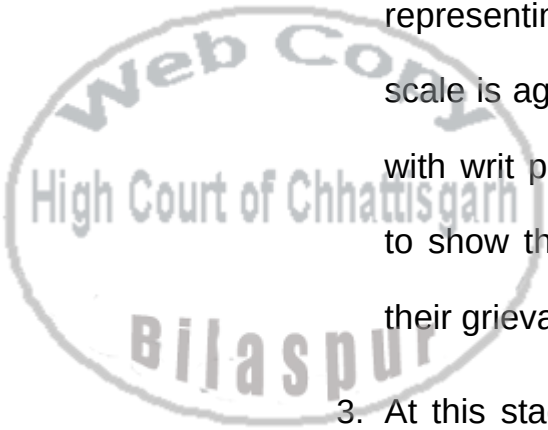
Heard.

1. Learned counsel for petitioners submits that according to the order passed by State Government dated 17.05.2013, teachers working under Panchayat Department are entitled for revised pay scale after completion of 8 years of service. Petitioner No.1 completed 8 years of service on 24.08.2015 and petitioner No.2 on 31.05.2017, however, petitioner No.1 was granted the benefit



of revised pay scale w.e.f. 25.08.2016. He contended that in view of decision in WPS No. 2530 of 2017 (**Mukesh Kumar Patel and another versus State of Chhattisgarh and another**) and in case of **Avinesh Kumar Namdev and Ors. Vs. State of Chhattisgarh and Ors** (WPS No. 5328 of 2021), petitioner No.1 is entitled for arrears of revised pay scale from 24.08.2015 to 25.08.2016, whereas petitioner No.2 was not extended the benefit of revised pay scale.

2. Learned State counsel opposing the submission made by learned counsel for petitioners would submit that he is only representing State. Claim for grant of arrears of revised pay scale is against respondent No.3. He further submits that along with writ petition, petitioners have not submitted any document to show that petitioners have approached respondent No.3 for their grievance as raised in this petition.
3. At this stage, learned counsel for petitioners submits that they may be permitted to submit representation before respondent No.3 and respondent No.3 be directed to decide the same as early as possible within specified time.
4. I have heard learned counsel for parties and perused the documents placed on record.
5. Taking into consideration the grievance raised by petitioner with regard to non-payment of arrears of revised pay scale, this petition is disposed off without issuing notice to respondent No. 2 & 3 directing petitioners to submit representation within a period of two weeks before respondent No. 2 & 3 and in turn respondent No.2 & 3 shall consider and decide same within a





further period of six weeks from the date of receipt of copy of representation keeping in mind decision rendered in the case of **(Mukesh Kumar Patel and another (supra) and Avinesh Kumar Namdev (supra))**.

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

Certified copy as per rules.

Sd/-

**(Parth Prateem Sahu)**

Judge

