



HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 5696 of 2007

PETITIONERS

- 1 Smt. Sangita Chaubey, Aged 40 years, W/o Shri Devendra Kant Chaubey, Assistant Teacher, Govt. Middle School, Ranvirpur, District Kabirdham (C.G.)
- 2 Smt. Shraddha Sahu, Aged 37 years, W/o Shri Tamradhwaj Sahu, Assistant Teacher, Govt. Middle School, Janter Distt. Rajnandgaon (C.G.)
- 3 Radheyshyam Dewangen, Aged 38 years, S/o Shei Kolhuram Dewangan, Assistant Teacher, Govt. Primary School Sankripar, Tah. Dongargaon Distt. Rajnandgaon (C.G.)
- 4 Smt. Kiran Hirwani, Aged 37 years, W/o Shri Chandra Bhooshan Hirwani, Assistant Teacher, Govt. Primary School, Dongargaon, Distt. Rajnandgaon (C.G.)
- 5 Bholaram Sahu, Aged 38 years, S/o Shri Ramdeen Sahu, Assistant Teacher, Govt. Middle School, Aliwara, Tah. Dongargarh, Distt. Rajnandgaon (C.G.)
- 6 Mahesh Kumar Sonkar, Aged 36 years, S/o Shri Sonu Ram Sonker, Assistant Teacher, Govt. Middle School Chando, Tah. Chhuriya, Distt. Rajnandgaon (C.G.)
- 7 Smt. Nandita Shrivastava, Aged 42 years, W/o Shri Vivek Shrivastava, Assistant Teacher, Govt. Prayogik Prathamik Shala, Dongargaon Distt. Rajnandgaon (C.G.)

Versus

RESPONDENTS

- 1 State Govt. of Chhattisgarh, Through:- Secretary, School Education Department, D.K.S. Bhawan, Raipur (C.G.)
- 2 District Education Officer, Kabirdham, (C.G.)
- 3 District Education Officer, Rajnandgaon (C.G.)



31/07/07

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**WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA**

Appearance:

Shri Ajay Shrivastava, Counsel for the petitioners.
Shri Yashwant Singh, Govt. Advocate for the State/
respondents.

**ORAL ORDER
(28.09.2007)**

SUNIL KUMAR SINHA, J

Heard.

Learned counsel appearing for the petitioners submits that the issue involved in the case is as to whether, the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or after completion of probation period.

The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court. The appeal was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

Learned counsel appearing for the petitioners further submits that this Court, while considering the same issue in Paras Nath Gupta Vs. State of Chhattisgarh & others (W.P.(S) No. 58 of 2007) by order dated 15.01.2007, has granted regular pay scale w.e.f. the date of initial appointment.

Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Paras Nath Gupta Vs. State of Chhattisgarh & others (Supra).

In view of that this petition is allowed in the same terms.
No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge