



X HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(C) No. 5485 सन् 2008

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p><b><u>PETITIONER</u></b> : Jagdamba Prasad Chaturvedi, aged about 56 years, S/o Shri Ramnath Chaturvedi, Resident of Primary School, North Jhagrakhand, District Korea (CG)</p> <p><b><u>RESPONDENTS</u></b></p> <p style="text-align: center;"><b><u>Versus</u></b></p> <ol style="list-style-type: none"><li>1. State of Chhattisgarh, through -Secretary, Department of School Education, Mantralaya, D.K.S. Bhawan, Raipur (CG)</li><li>2. The District Education Officer, Korea, District-Korea, C.G.</li><li>3. Primary School North Jhagarakhand, Through Headmaster, Singhi Colliery Education Society, Jhagarakhand, Distt.-Korea (CG)</li><li>4. The Director, Directorate, Public Institution, Pension Bada, Raipur (CG)</li></ol> <p style="text-align: center;"><b><u>Writ Petition U/A 226/227 of the Constitution of India</u></b></p> <p><b><u>S.B. HON'BLE SHRI DHIRENDRA MISHRA, J.</u></b></p> <p><b><u>30.09.2008</u></b></p> <p>Shri R.K. Jaiswal, counsel for the petitioner. Shri Ajay Dwivedi, Dy GA for the State. Heard. With the consent of the parties, the matter is heard finally. By this petition, the petitioner, who is working as Assistant Teacher in Primary School, Jhagrakhand, District-Korea is claiming the benefits of 5<sup>th</sup> Pay Commission at par with their counterparts in the Government Schools. The 5<sup>th</sup> Pay Commission was to be granted</p>	

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14	<p>with effect from 1.1.1996 in accordance with the Madhya Pradesh Revision of Pay Rules, 1998.</p> <p>This Court by the judgment and order dated 6.2.2007 in the case of <b>Smt. A Lall Vs. State of Chhattisgarh</b> and other connected matters (W.P. No.4108 of 2005) held that the teachers working in Government aided schools are entitled for the benefit of recommendations of the 5<sup>th</sup> Pay Commission. After the decision of this Court, the petitioner has filed this petition on 25.9.2008 claiming the same relief.</p> <p>Learned counsel appearing for the petitioner submits that the petitioner has made representation on 2.8.2008 (Annexure P-2) to the respondents authorities, which was not considered at all.</p> <p>In view of the fact that the representation of the petitioner is pending consideration before authority concerned, the respondents authorities are accordingly directed to consider his representation dated 2.8.2008 (Annexure P-2) pending before respondent No.1 in accordance with law, on its own merits, in the light of the judgment and order dated 6.2.2007 passed by this Court in the matter of <b>Smt. A Lall</b> (Supra).</p> <p>The petition is accordingly disposed of.</p>	<p>Sd/- Dhirendra Mishra Judge</p>