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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 6323 OF 2010.

Single Bench

PETITIONERS

- :1. Ajay Nath Patel,
S/o. Shri Ram Raj Patel,
aged about 52 years, Head
Master, Upper Primary School
Kumhada Kota, Block – Bastar,
District Bastar (C. G.)
2. Ram Bhaskare Mishra,
S/o. Shri D. N. Mishra, aged
about 58 years, Lecturer, Govt.
Higher Secondary School
Bastar, Block – Bastar, District
Bastar (C. G.)
3. Sona Das Manikpuri,
S/o. Shri Jethu Das Manikpuri,
aged about 58 years, Head
Master, Upper Primary School
Usari, Block –Bastar, District
Bastar (C. G.)
4. Smt. Ram Mani Goyal,
W/o. late Shri R. S. Goyal, aged
about 46 years, Upper Division
Teacher, Govt. Middle School
Takraguda, Block –Bastar, District
Raipur (C. G.)

P.R. No. 6774/2010
Presented by Shri Manoj Chaturvedi
dated 27/11/2010



S.K. Veng

VERSUS

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RESPONDENTS

- :1. State of Chhattisgarh,
Through : The Secretary,
Tribal Welfare Department,
D.K.S. Bhawan, Raipur (C. G.)
2. Assistant Commissioner,
Tribal Welfare Department,
Bastar, District Bastar (C. G.)
3. Block Education Officer,
Bastar, District Bastar (C.G.)
4. Treasury Officer,
Treasury Account and Pension,
Bastar, District Bastar (C. G.)

WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA



XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक.....*Int. P. (S) No. 6323/6* सन्/200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p><u>SB : HON'BLE MR. JUSTICE PRITINKER DIWAKER</u> <u>29.10.2010</u></p> <p>Shri Somkant Verma, counsel for the petitioners. Shri Vaibhav Goverdhan, P.L. for the State.</p> <p>Grievance of the petitioners in the present petition are that they were appointed as Assistant Teachers on a fixed pay scale of Rs. 100-150 for a period of two years and after completion of probation, they were granted regular pay scale of Rs. 169-300.</p> <p>Contention of the counsel for the petitioners is that they are entitled for regular pay scale with effect from the date of initial appointment and their case is squarely covered with number of decisions passed by this Court and -also the judgment rendered by the M.P. State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu & 56 Others Vs. State of M.P. & Others) wherein it has been held that similarly placed teachers are entitled for regular pay scale from the date of their initial appointment.</p> <p>It is not disputed by both the parties that the matter was taken up by the State to the Apex Court but the appeal was also dismissed by the Apex Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled for regular pay scale from the date of their initial appointment.</p> <p>In view of the above submission made by the counsel for the parties, the petition is disposed of in the same terms i.e. the petitioners are granted liberty to make a representation, if so</p>	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

सामला क्रमांक W.P. (S) No. 6323 / 60 सन 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>advised, in the light of the aforesaid judgment and the circular dated 27.12.2008 (Annexure P/7) and in turn, the concerned respondent is directed to consider their case on its own merits and in its perspective. If the petitioners stand on the same footing as per order passed by the State Administrative Tribunal in Madhukant Yadu (supra) and subsequently confirmed by the Supreme Court in Special Leave Petition (Civil) No. 6892/93 by order dated 3.1.1995, the petitioners may be entitled to same relief accordingly.</p> <p>It is expected from the state authorities to pass suitable order after due scrutiny of the facts.</p>	<p style="text-align: right;">Sd/- Pritinker Diwaker Judge</p>