

Single Bench**BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR****W.P (S) No. 3390 of 2011****PETITIONER**

: Umesh Ram Sahu, aged about 51 years, S/o Late Shri Domar Singh Sahu, Headmaster, Government Primary School, Rudgaon, Block-Dongargaon, District-Rajnandgaon (C.G.)

VERSUS**RESPONDENTS**

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

P.R. No. 3679/2011
Presented by Shri. Umesh Ram Sahu
dated 27/6/2012

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

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P(S) no. 3390/11 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>SB : Hon'ble Shri Manindra Mohan Shrivastava, J. 30-06-2011</p> <p>Shri Gautam Khetrapai, counsel for the petitioner. Shri A.V.Shridhar, Panel Lawyer for the State. With the consent of learned counsel for the parties, the matter is heard finally.</p> <p>The petitioner was appointed on a fixed pay of Rs.100/-. After successfully completing the probation period of 2 years, he was granted regular pay scale.</p> <p>Learned counsel appearing for the petitioner submits that the issue involved in the case is as to whether, the petitioner is entitled to regular pay scale with effect from the date of initial appointment or after completion of probation period.</p> <p>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 v. State of M.P. & others), wherein, it was held that the similarly situated teachers are entitled to regular pay scale with effect from the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court in special Leave Petition (Civil) No.6892/93. The said petition 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 the date of initial appointment.</p> <p>Accordingly, the petitioner is granted liberty to make a representation raising all his grievances, in the light of the aforesaid judgment and in turn, the concerned respondent is directed to consider his case on its own merits and in its perspective. If the petitioner stands on the same footing as per order passed by the State Administrative Tribunal in Madhukant Yadu (Supra) and subsequently</p>	

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<p>Deepti</p>	<p>confirmed by the Supreme Court in Special Leave Petition (Civil) No.6892/93 by order dated 3/1/95, the petitioner 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>It is made clear that this Court has not expressed any opinion on merits of the case and the authority concerned would be at liberty to decide the representation strictly in accordance with law.</p> <p>With the aforesaid observations, the petition is finally disposed off.</p>	<p>Sd/- Manindra Mohan Shrivastava Judge</p>