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(2019) 08 CHH CK 0186

In the Chhattisgarh High Court

Case No : Writ Petition (S) No. 6492 Of 2019

Babu Lal Baretha And Ors — APPELLANT

Vs

State Of Chhattisgarh And Ors — RESPONDENT

Date of Decision : 27-08-2019

Acts Referred:
Constitution Of India, 1950 — Article 226

Citation : (2019) 08 CHH CK 0186

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : B.P. Banjare, Anshuman Shrivastava

Final Decision : Disposed Of

Judgement

P. Sam Koshy, J

1. The present petition under Article 226 of the Constitution of India has been filed for a direction to the respondents to grant regular payscale to the petitioners under the contingency services immediately on completion of three years of service from the initial date of appointment.

2. Learned counsel for the petitioners submits that the petitioners are in employment since 01.12.1992 and 27.11.1996 and therefore they are entitled for grant of regular pay-scale after completion of three years service. He further submits that similar reliefs have already been granted to certain persons whose services were also regularized in the State Government in the year 2008. He refers to an order dated 10.03.2015 stating that the said order is in respect of identically placed persons

3. At this juncture, learned State counsel submits that it would be better if the petitioners file detailed fresh representation to respondent no.3 along with all relevant documents in support of his claim including the orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case representation is made, the respondent no.3 shall

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decide the same within a further period of three months from the date of receipt of the representation.

4. The proposal of the State counsel is acceptable to the counsel for the petitioners.

5. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent no.3 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.3 shall dispose off the same within a period of 90 days form the date of receipt of the representation.

6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioners are concerned. The authorities shall be free to take a decision purely in accordance with the rules governing the field.

7. No order as to costs.

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