

Abdul Hakim Meman And Ors Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: Feb. 25, 2019

Acts Referred: Constitution Of India, 1950 " Article 226

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Harish Khuntiya, Arvind Dubey

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 pay-scale to the

petitioner under the contingency services immediately on completion of three years of service from the initial date of appointment.

2. Learned counsel for the petitioner submits that the petitioner is in employment since 1992 to 1995 and therefore he is 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 petitioner files detailed fresh representation to respondent no. 4 & 5

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. 4 & 5 shall 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 petitioner.

5. Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file fresh representation to respondent no. 4 & 5 along with

all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no. 4 & 5 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 petitioner is 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.