

## **Binnu Ram Vs Subodh Singh Secretary And Ors**

**Court:** Chhattisgarh High Court

**Date of Decision:** June 29, 2018

**Hon'ble Judges:** Prashant Kumar Mishra, J

**Bench:** Single Bench

**Advocate:** Pawan Shrivastava

**Final Decision:** Disposed Of

### **Judgement**

Prashant Kumar Mishra, J

1. Heard.

2. By order dated 30.11.2017 passed in WPS No.4936 of 2017 and in another connected petition, the following order has been passed by this Court:

1. ""Petitioners were appointed as Labourer in Permanent Gang. By virtue of the circular dated 12.02.2008 (Annexure P-2), the petitioners are entitled

to regular pay scale, as has been allowed in favour of other similarly placed employees, but the respondents are not allowing regular pay scale.

2. Considering the limited issue brought before this Court, the writ petitions are disposed of with direction that on petitioners' submitting fresh

representation claiming regular pay scale on the strength of circular dated 12.02.2008, within a period of 4 months from today, the competent authority

shall consider and decide the representation by a speaking order, at the earliest, preferably within a period of 3 months from the date of submission of

representation.

3. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its

own merits, strictly in accordance with law, without treating any observation made in this order as opinion on the merits of the case"".

3. Admittedly, the petitioner's representation has been decided by a reasoned order on 9.4.2018 (Annexure C/3), therefore, the order has been

complied with.

4. If the petitioner is aggrieved by Annexure C/3, the appropriate remedy lies in filing a fresh writ petition.

5. Accordingly, the contempt petition is disposed of with liberty to the petitioner to move a fresh writ petition.