



2026:CGHC:12389



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 2438 of 2026**

1 - Moharsai Tandon S/o Late Jaliram Tandon Aged About 57 Years Working As Cook, Govt. Pre-Metric Sc Boys Hostel, Pandripali, Block- Bilaigarh, District- Sarangarh-Bilaigarh (C.G.)

2 - Kirtan Lal Jaiswal S/o Late Devprasad Jaiswal Aged About 61 Years Working As Cook, Govt. Sc Boys Hostel, Pandripali, Block- Bilaigarh, District- Sarangarh-Bilaigarh (C.G.)

... Petitioners**versus**

1 - State Of Chhattisgarh Through The Secretary, Scheduled Caste And Scheduled Tribe Welfare Department, Mantralaya, Atal Nagar, New Raipur, District- Raipur (C.G.)

2 - The Commissioner Scheduled Caste And Scheduled Tribe Development Department, Indravati Bhawan, Atal Nagar, New Raipur (C.G.)

3 - The Commissioner Bilaspur Division, District- Bilaspur (C.G.)

4 - The Assistant Commissioner Tribal Development Branch, District- Sarangarh-Bilaigarh (C.G.)

5 - The Collector (Tribal Development Branch), District- Sarangarh-Bilaigarh (C.G.)

... Respondents



For Petitioners	:	Mr. Harish Khuntiya, Advocate
For State	:	Ms. Sakshi Bajpai, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

16.03.2026

1. Petitioners have filed this writ petition seeking following reliefs:-

‘10.1 That, the Hon’ble Court may kindly be pleased to direct the respondents to grant regular pay scale to the petitioners under the consistency services immediately on completion of 3 years services from the initial date of appointment and direction be given to the respondent departments to give difference to pay to the petitioners and all the benefits on the basis of equal pay for equal work.

10.2 That, any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given.”

2. Learned Counsel for the petitioners submits that petitioners were appointed on the post of Cook and Waterman under the respondent No.1 department in the year 1992 and 1995 respectively as daily wage employee on Collectors’ rate and therefore, they are entitled to get benefit of regular pay scale after completion of three years of service. However, they have been granted regular pay-scale from 09.09.2008. He further submits that similar relief has already been granted to



certain persons and their services were also regularized. He refers to an order dated 20.04.2018 and submits that in the like situation, few of other persons, similarly placed, have been given benefit of regular pay scale on completion of three years of service.

3. At this juncture, learned State Counsel submits that petitioners have not submitted representation before the authority for redressal of their grievance, but have directly filed this petition.
4. Learned counsel for petitioners submits that petitioners may be permitted to submit representation and direction be issued to respondents to take decision on the representation to be submitted by petitioners at the earliest.
5. Considering facts of the case, submissions of learned counsel for the respective parties, this writ petition is disposed of at this stage giving liberty to the petitioners to file a fresh representation before respondent No. 4 & 5 along with all relevant documents in this regard whereby similar benefits were given to other persons. On making such representation, respondent No. 4 & 5 shall consider and decide the same, in accordance with law within a period of 'four months' from the date of receipt of copy of such representation.
6. However, it is made clear that this Court has not expressed any opinion on merit of the case. The respondents-authorities shall be free to take a decision on its own merit, in accordance with the law.

Certified copy as per rules.

sd/-

(Parth Prateem Sahu)
Judge

Alfiza