



2026:CGHC:9362

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3006 of 2019

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Rakesh Verma S/o Shri Kishor Verma Aged About 65 Years R/o
Opp. Uphar Bhawan, Near Hanuman Mandir Ward No.44, New
Sarkanda, Jabdapara, Bilaspur, Police Station- Sarkanda,
District- Bilaspur, Chhattisgarh.

---**Petitioner**

Versus

1 - Municipal Corporation Bilaspur Through Commissioner
Municipal Corporation Bilaspur Near Nehru Chowk, Bilaspur,
District- Bilaspur, Chhattisgarh., District : Bilaspur,
Chhattisgarh

2 - Chhattisgarh Infrastructure Development Corporation
Through Managing Director Old Police Head Quarter Premises,
Rajbhawan Road, Raipur, District- Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

3 - Divisional Manager Chhattisgarh Infrastructure Development
Corporation, Division Office, Old Polic Head Quarter Premises,
Rajbhawan Road, Raipur, District- Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

4 - Sater Of Chhattisgarh Through- Secretary, Department Of
Urban Administration And Development, Mantralaya, Mahanadi
Bhawan Atal Nagar, Nawa Raipur (C.G.)

--- **Respondents**

For Petitioner	:- Mr. K.P.S. Gandhi, Advocate
For Respondent No. 1	:- Mr. A.S. Kacchhwaha, Advocate
For Respondents No. 2 & 3	:- Mr. Harsh Tripathi on behalf of Mr. Anup Majumdar, Advocate
For Respondent No. 4/State	:- Mr. Sharad Mishra, P.L.

SB - Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

23.02.2026

1. By way of this writ petition, petitioner has sought direction to the respondent authorities to grant him the benefit of 5th pay scale from 01/04/1999 till July 2007 with 18% interest.
2. The petitioner was appointed as Conductor in the year 1978 in the erstwhile Madhya Pradesh State Road Transport Corporation and later on, his services were absorbed by Chhattisgarh Infrastructure Development Corporation (CIDC) and by orders dated 04/08/2005 and 24/08/2005 (Annexure P/2), he was sent on deputation to the Municipal Corporation, Bilaspur as an Assistant Grade III wherein he was absorbed. By circular dated 01/08/2007 (Annexure R-1/2) issued by the Government of Chhattisgarh, Home (Transport) Department, the petitioner has been granted the benefit of Chhattisgarh Revision of Pay Rules, 1998 w.e.f. 01/08/2007, however, by this writ petition, the petitioner is seeking benefit of 5th

Pay Scale from 01/04/1999 till July, 2007 with 18% interest.

3. Learned counsel for the petitioner submits that respondent No. 1 i.e. Municipal Corporation, Bilaspur is absolutely unjustified in passing impugned order dated 17/01/2019 (Annexure P/1) and denying the benefit of 5th Pay Scale to the petitioner from 01/04/1999 till July 2007, as claimed by him, as such, this writ petition be allowed and necessary direction be made to the respondent authorities in this regard.
4. Learned counsel for the respondents would support the impugned order and oppose the submission made by learned counsel for the petitioner and submit that the instant writ petition, being devoid of merits, is liable to be dismissed.
5. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the record with utmost circumspection.
6. At this stage, it would be relevant to notice the circular dated 01/08/2007 (Annexure R-1/2) issued by the , which states as under :-

“1. राज्य शासन द्वारा निर्णय लिया गया है कि छत्तीसगढ़ इन्फ्रास्ट्रक्चर डेवलपमेंट कार्पोरेशन लिमिटेड के नियंत्रणाधीन विघटित मध्य प्रदेश राज्य सड़क

परिवहन निगम के कर्मियों को 01 अगस्त, 2007 से छत्तीसगढ़ वेतन पुनरीक्षण नियम, 1998 का लाभ दिया जावे।

2. वेतन पुनरीक्षण की प्रक्रिया मुटेटिस मुटान्डिस (Mutatis Mutandis) वही होगी, जो राज्य शासन के कर्मचारियों के लिए है। इन कर्मियों को 01 अगस्त, 2007 के पूर्व की अवधि हेतु किसी बकाया स्वत्व की पात्रता नहीं होगी और न ही कर्मचारियों द्वारा कभी भी ऐसा दावा किया जा सकेगा।”

7. A careful perusal of the aforesaid circular would show that petitioner, being an employee of the CIDC would be entitled for the benefit of Rules of 1998 w.e.f. 01/08/2007. The aforesaid circular has been followed by the Municipal Corporation, Bilaspur in rejecting the claim of the petitioner vide order dated 17/01/2019 and the said order has not been challenged by the petitioner in this writ petition.

8. In that view of the matter, the respondent No. 1 i.e. Municipal Corporation, Bilaspur, with whom petitioner had been absorbed, has rightly rejected petitioner's claim of granting him the benefit of 5th pay Scale from 01/04/1999 till July 2007 in view of the order dated 01/08/2007. I do not find any merit in this writ petition.

9. Accordingly, this writ petition deserves to be and is hereby dismissed leaving the parties to bear their own cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet