

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 1605 of 2015**

1. Khilawan Dewangan S/O Late Shri Ram Dewangan Aged About 51 years  
R/O Qtr No. 283, Ayodhya Nagar, Mahasamund District Mahasamund  
Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through The Secretary, Commercial Tax  
Department, Mantralaya Mahanadi Bhawan, New Raipur, District Raipur  
Chhattisgarh
2. The Commissioner Commercial Tax Department Commercial Tax Building  
Civil Line, Raipur Chhattisgarh

**---- Respondent**

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| For Petitioner       | Shri Gautam Khetrapal, Advocate      |
| For Respondent/State | Shri Shashank Thakur, Govt. Advocate |

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board**

**25/06/2015**

Heard learned counsel for the parties.

1. Petitioner has preferred this writ petition claiming fixation of pay scale and seniority on and from the date Aslam Khan and Aftab Ahmad have been granted seniority and pay scale on the post of Commercial Tax Inspector.
2. Learned counsel for the petitioner has placed reliance on the order passed by this Court in WP (S) No.1386 of 2015 (**Kamal Singh Sahu v. State of Chhattisgarh & Another**).

3. Learned counsel for the State would submit that petitioner's case does not appear to be similar.
4. Since the petitioner is claiming parity, he may prefer a representation before the State Government claiming benefit of seniority and pay scale as has been made admissible to Aslam Khan and Aftab Ahmad. If such representation is filed within one month, the State Government shall examine and verify as to whether the petitioner's case is similar to the case of **Kamal Singh Sahu** (supra). If the petitioner's case is found similar, the State Government may extend similar relief to the petitioner, as has been granted to **Kamal Singh Sahu** (supra).
5. 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 representation, 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.

Sd/-

(Prashant Kumar Mishra)

Judge

Gowri