

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 4620 of 2006**

1. Anand Tasia, Aged about 50 years, S/o Luese Kerketta, Working as Subedar (Ministerial), Office of the Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (Chhattisgarh)
2. Ku. Seema Pillai, Aged about 28 years, D/o Late Shri P.G.N. Pillai, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (Chhattisgarh)
3. Ku. Bindia Kawre, Aged about 27 years, D/o Shri Tandan Lal Kawre, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (Chhattisgarh)
4. Suresh Hariharno, Aged about 48 years, S/o Shri Kunj Bihari Lal, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (Chhattisgarh)
5. Sukhdev Sharma, Aged about 54 years, S/o Late Shri Ram Janam Sharma, Working as Head Constable (Ministerial), Office of the Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (Chhattisgarh)
6. Ramaasre Sharma, Aged about 45 years, S/o Shri Nachkau Ram Sharma, Working as Constable (Ministerial), Office of the Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (Chhattisgarh)

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through – The Secretary, Department of Home Affairs, D.K.S. Bhawan, Raipur (C.G.).
2. The Director General of Police, Police Head Quarter, Raipur (C.G.)
3. The Sub Director General of Police (Administration), Police Head Quarter, Raipur (C.G.)
4. The Superintendent of Police Radio, Bhilai Jone, Bhilai, District Durg (C.G.)
5. The District Treasury Officer, District Durg (C.G.)

**---- Respondents**

**WPS No. 4621 of 2006**

1. Smt. Sumitra Jurri, Aged about 39 years, W/o Shri P.R. Jurri, Working as Subedar (Ministerial), Office of the Superintendent of Police, Dantewada, District Dantewada (Chhattisgarh)
2. Prashant Shukla, Aged about 32 years, S/o Late Shri Kailash Prasad Shukla, Working as Subedar (Ministerial), Office of the Superintendent of Police, Dantewada, (Chhattisgarh)
3. Vijay Kumar Devangan, Aged about 36 years, S/o Shri Tek Singh Devangan, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, Dantewada, District Dantewada (Chhattisgarh)
4. Shailendra Kumar Prajapati, Aged about 36 years, S/o Shri Lallan, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, Dantewada Chhattisgarh)

5. Tikaram Devangan, Aged about 49 years, S/o Late Shri Sukhram Devangan, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, Dantewada (Chhattisgarh)

---- **Petitioners**

**Versus**

1. State Of Chhattisgarh Through – The Secretary, Department of Home Affairs, D.K.S. Bhawan, Raipur (C.G.).
2. The Director General of Police, Police Head Quarter, Raipur (C.G.)
3. The Sub Director General of Police (Administration), Police Head Quarter, Raipur (C.G.)
4. The Superintendent of Police, District Dantewada (C.G.)
5. The District Treasury Officer, District Dantewada (C.G.)

---- **Respondents**

**WPS No. 4633 of 2006**

1. Kush Kumar Mishra, Aged about 53 years, S/o Shri Goverdhan Prasad Mishra, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
2. V.K. Jema, Aged about 53 years, S/o Late Shri A.L. Jema, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
3. Smt. Versha Sharma, Aged about 29 years, W/o Shri Jitendra Sharma, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
4. Shankar Prasad Yadav, Aged about 36 years, S/o Shri Jhumuklal Yadav, Working as Subedar (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
5. D.S. Jaiswar, Aged about 51 years, S/o Shri S.P. Singh, Working as Subedar (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
6. Smt. Meeta Sahu, Aged about 43 years, D/o late Shri S.B. Waghela, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
7. D.D. Deshlahara, Aged about 48 years, S/o Shri G.R. Deshlahara, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
8. Vijay Kumar Sonkusore, S/o Late Shri S.P. Sonkusore, Aged about 44 years, Working as Assistant Subedar Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
9. Suresh Kumar Vishwakarma, Aged about 46 years S/o Shri Ramnarayan Vishwakarma, working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)

10. Smt. Amna Sheikh, Aged about 36 years, W/o Shri M.M. Sheikh, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
11. Darversh Kumar Kamade, Aged about 43 years, S/o Shri Gajanand Kamade, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
12. Kamlesh Sonboir, Aged about 37 years, S/o Shri Govindram Sonboir, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
13. Sukhdev Yadav, Aged about 35 years, S/o Late Shri Pusau Ram Yadav, Working as Head Constable (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
14. Thakur Ram Sahu, Aged about 46 years, S/o Shri Jhumuk Lal Sahu, Working as Constable (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
15. Santosh Kumar Verma, Aged about 39 years, S/o Late Shri N.B.L. Verma, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
16. Kumari Rukhsana, Aged about 36 years, D/o Late Shri Mohammad Umar, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
17. Narendra Kumar Gajbhiye, Aged about 30 years, S/o Shri Jhumuk Lal Gajbhiye, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
18. Shravan Kumar Mishra, Aged about 43 years, S/o Late Shri G.P. Mishra, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)
19. I.P. Sahu, Aged about 46 years, S/o Shri P.R. Sahu, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Rajnandgaon (Chhattisgarh)

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through – The Secretary, Department of Home Affairs, D.K.S. Bhawan, Raipur (C.G.).
2. The Director General of Police, Police Head Quarter, Raipur (C.G.)
3. The Sub Director General of Police (Administration), Police Head Quarter, Raipur (C.G.)
4. The Sr. Superintendent of Police, District Rajnandgaon (C.G.)
5. The District Treasury Officer, District Rajnandgaon (C.G.)

**---- Respondents**

**WPS No. 4635 of 2006**

1. Ramkishore Tiwari, Aged about 47 years, S/o Shri Surya Prasad Tiwari, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
2. Nagesh Naidu, Aged about 37 years, S/o Shri Kanappa Naidu, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
3. Brij Mohan Singh Rajput, Aged about 38 years, S/o Shri Hari Singh Rajput, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
4. Jagdish Prasad Soni, Aged about 48 years, S/o Shri Nandlal Son, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
5. Shiv Goyal Pandey, Aged about 51 years, S/o Shri Ram Gulam Pandey, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
6. Mahendra Kumar Nirmalkar, Aged about 40 years, S/o Shri Baharu Ram, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
7. Vinod Kumar Sahu, Aged about 37 years, S/o Late Shri Chunu Lal Sahu, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
8. Nripendra Singh Gaharwar, Aged about 47 years, S/o Shri Rajesh Singh Gaharwar, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
9. Mahendra Kumar, Aged about 25 years, S/o Shri Bahoran Singh, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
10. Smt. Reena Sanyal, Aged about 44 years, Widow of Late Shri Arvind Sanyal, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
11. Smt. Sulochana Sahu, Aged about 37 years, W/o Shri Chunnu Lal Sahu, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
12. Harishchandra Tiwari, Aged about 49 years, S/o Shri Hanuman Prasad Tiwari, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
13. Kalyan Singh, Aged about 47 years, S/o Late Shri Sher Singh, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
14. Rudranath Gajpal, Aged about 45 years, S/o Shri Khelendranath Gajpal, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
15. Manihar Singh Sahare, Aged about 43 years, S/o Shri Beni Ram, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)

16. Ajay Kumar Dwevedi, Aged about 50 years, S/o Shri Prahlad Prasad Dwevedi, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
17. Dushyant Lal Gwalvanshi, Aged about 42 years, S/o Shri Shobha Ram Gwalvanshi, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
18. Chhotelal Nagre, Aged about 45 years, S/o Late Shri Shyam Lal Nagre, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
19. K.P.S. Kutty, Aged about 54 years, S/o Shri K.N.P. Nair, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
20. Smt. Savitri Dhruve, Aged about 42 years, W/o Shri Udai Ram Dhruve, Working as Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
21. Virendra Singh Taran, Aged about 35 years, S/o Late Shri T.L. Taran, Working as Assistant Sub Inspector (Ministerial), Office of the Superintendent of Police, District Durg (Chhattisgarh)
22. Hem Ram Kathane, Aged about 53 years, S/o Shri Keshav Das Kathane, Working as Sub Inspector (Ministerial), Office of the Director, State F.S.L., Raipur (Chhattisgarh)
23. Yashwant Sinha, Aged about 40 years, S/o Late Shri Bhikham Lal Sinha, Working as Head Constable, Office of the Superintendent of Police, Durg, District Durg (Chhattisgarh)
24. Satyanarayan Sawarani, Aged about 49 years, S/o Late Shri Yugal Kishore, Working as Assistant Sub Inspector (Ministerial), Working at S.S.P. Office, Durg (Chhattisgarh)

---- **Petitioners**

**Versus**

1. State Of Chhattisgarh Through – The Secretary, Department of Home Affairs, D.K.S. Bhawan, Raipur (C.G.).
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4. The Sr. Superintendent of Police, Bhilai Jone, Bhilai, District Durg (C.G.)
5. The Director, Forensic Science Laboratory, Raipur (C.G.)
6. The District Treasury Officer, District Durg (C.G.)

---- **Respondents**

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**For Petitioner(s)** : Shri Tarun Dadsena, Advocate  
**For Respondents/State** : Ms. Smita Ghai, Panel Lawyer

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**04/07/2016**

1. Learned counsel for the parties submit that the facts of the present writ petitions are identical to the case of Writ Petition (S) No. 4523 of 2014 (Francis Xavier Back & others Vs. State of Chhattisgarh & others) and can be disposed of in terms of order passed by this Court.
2. In the batch of writ petitions preferred by the Ministerial employees of the Home Department of the State of Chhattisgarh, prayer has been made to grant them similar relief as has been granted in favour of the petitioners in W.P.(S) No. 4563 of 2006 (**Abdul Nawab Khan and others vs. The State of Chhattisgarh and others**) and other connected matters, whose petitions were decided on 07-05-2009.
3. The issue pertains to grant of ad hoc pay increase of Rs.50/-, Rs.60/- & Rs.70/-, which was made admissible to the Ministerial employees of the Home Department by order passed by the erstwhile unified State of Madhya Pradesh on 28-08-2000. The benefit flowing from the said order was paid to the employees, however, by issuing the order dated 29-07-2006, the payment already made to the petitioners as well as pay scale granted to them were sought to be reduced. This gave rise to **Abdul Nawab Khan** (supra), in which the writ Court passed the following order :

“10. Applying the well settled principles of law to the facts of the present case and for the reasons mentioned hereinabove, the petitions are accordingly allowed in the

terms of the order passed in Vidyadhar Tiwari (supra) i.e. the impugned order dated 29-07-2006 is hereby quashed. The amount if any, so deducted be paid to the petitioners with simple interest. However, liberty is reserved to the respondents, if so advised, to take appropriate steps after complying with the principles of natural justice in accordance with Rule 65 of the Chhattisgarh Civil Services (Pension) Rules, 1976. No order as to costs. Rule is made absolute.”

4. The Batch of writ petitions being No.4523 of 2014 (Francis Xavier Back & others Vs. State of Chhattisgarh & others) passed by this Court were disposed of by order dated 03-07-2015.

5. Since the facts of those cases and relief claims are identical, these writ petitions can be disposed of in terms of order passed in para 10 of **Abdul Nawab Khan and others vs. The State of Chhattisgarh and others** in W.P.(S) No.4563 of 2014, which states as follows:

“10. In view of what has been urged by the learned counsel appearing for both the parties, all the writ petitions are disposed of in the following terms :

- The department of Home, Government of Chhattisgarh shall constitute a committee consisting of senior IPS Officers not below the rank of ADGP and a senior officer of the Finance Department not below the rank of Additional Secretary.
- The petitioners shall submit a representation before the said committee within a period of one month from today.

- The committee shall examine the issue as to whether the respective cases of the petitioners are similar to **Abdul Nawab Khan (Supra)**. If the petitioners are similar to those petitioners, they shall be entitled to all such benefits which are admissible to those petitioners on the subject issue.

6. In view of the above terms, all the above mentioned four writ petitions are disposed, leaving the parties to bear their own costs.

Sd/-  
(**Sanjay K. Agrawal**)  
JUDGE