

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.834 of 2016**

1. Nirmal Sahu, S/o Shri Shankar Lal Sahu, aged about 25 years, Occupation-Stenographer/Subedar (M), under the office of Divisional Commandant, Home Guard, Bastar Division, Jagdalpur, P.S. Bodhghat, District Bastar (CG).
2. Sanjay Kumar Gupta, S/o Shri Suresh Chandra Gupta, aged about 40 years, Occupation Assistant Sub-Inspector (M)/Grade-III, under the Office of District Commandant, Home Guard, Ambikapur, P.S. Kotwali-Ambikapur, District Surguja (CG).
3. Ravirudra Sharma, S/o Shri Jugeshwar Prasad Sharma, aged about 34 years, Occupation Assistant Sub-Inspector (M)/Grade-III under the Office of Divisional Commandant, Home Guard, Ambikapur, P.S. Kotwali-Ambikapur, District-Surguja (CG).
4. Akhilesh Kumar, S/o late Baijnath Saw, aged about 26 years, Occupation Assistant Sub-Inspector (M)/Grade-III, under the office of District Commandant, Home Guard, Balrampur, P.S. Balrampur, District Balrampur-Ramanujganj (CG).
5. Rakesh Pandey, S/o Arun Kumar Pandey, aged about 29 years, Occupation Assistant Sub-Inspector (M)/Grade-III, Under the office of District Commandant, Home Guard, Surajpur, P.S. Kotwali-Surajpur, District Surajpur.
6. Smt. Padmawati Bhoyar, W/o late Shri C.R. Bhoyar, aged about 40 years, Occupation Assistant Sub-Inspector (M) under the office of Commandant, Central Training Institute, Home Guard, P.S. Mana Camp, District Raipur (CG).

---- Petitioners**Versus**

1. State of Chhattisgarh, through the Secretary, Home Affairs, Police Department, Mahanadi Bhawan, New Mantralaya, Raipur (CG).
2. The Secretary, Finance, Mahanadi Bhawan, New Mantralaya, Raipur.
3. The Director General of Police, Home Guard, Mana Camp,

District Raipur (CG).

---- Respondents

For Petitioners : Shri Prakash Tiwari, Advocate.
For Respondents : Shri Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

17/03/2016

(1) Learned counsel for the petitioners would submit that the petitioners are working as Subedar (M), Assistant Sub-Inspector (M) and Inspector (M), as the case may be, in this writ petition. Their grievance is that despite order passed by this Court in W.P. No. 4653/2006 and the order passed by Division Bench on 23.02.2011 in W.A. No.426/2011 against which the Supreme Court has dismissed S.L.P. (Civil) No.13274/2013, the benefits made admissible to the similarly placed persons vide order dated 03.12.2013 issued by Home Department has not been extended to the petitioners. He would submit that the Director General of Police has already issued a communication on 28.09.2013 for extending similar benefits to all the similarly placed persons, but yet necessary orders have not been passed.

(2) Learned State counsel would submit that in the event petitioners submit fresh representations before the competent authority, their cases shall be scrutinized and if after due verification if it is found that their cases are similar, they shall be entitled to all such benefits available to them in accordance with law.

(3) In view of the above, petition is disposed of with a direction that in the event petitioners submit fresh representations before the competent authority claiming similar treatment as has been extended to the previous set of petitioners in whose favour order dated 03.12.2013 has been passed, within a period of one month from today, the competent authority shall scrutinize their cases and if on verification it is found that the petitioners are identically placed, necessary orders in this regard be passed in accordance with law within a further period of two months.

(4) If any adverse order is passed against the petitioners, they would be at liberty to move a fresh before this Court.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-