

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5282 of 2016

Sharda Prasad Tripathi S/o Late Shri S. M. Tripathi, Aged About 33 Years
Occupation Assistant Sub Inspector (M), Under The Office Of Director General
Home Guard And Civil Defense, P. S. Mana Camp, District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Home Affairs, Police Department, Mahanadi Bhawan, New Mantralaya, Raipur (Chhattisgarh)
2. The Secretary, Finance, Mahanadi Bhawan, New Mantralaya Raipur (Chhattisgarh)
3. The Director General Of Police, Home Guards, Mana Camp, Raipur (Chhattisgarh)

---- Respondents

Shri Palash Tiwari, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/09/2016

Heard on admission.

2. Learned counsel for the petitioner submits that the petitioner is working in the police department as Assistant Sub-Inspector (M). The grievance of the petitioner is that despite order passed by this Court in WPS No.4563/2006 and the order passed by Division Bench in W.A.No.426/2011 against which, the Supreme Court has dismissed SLP (Civil) No.13274/2013, the benefits made admissible to the similarly placed persons vide order dated 03-12-2013 issued by the Home Department, has not been extended to the petitioner. 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.

3. Learned State counsel would submit that in the event, the petitioner submits fresh representation before the competent authority, his case shall be

scrutinized and if after due verification, it is found that his case is similar, he shall be entitled to all such benefits available to him in accordance with law.

4. In view of above, this petition is finally disposed off with a direction that in the event, the petitioner submits fresh representation before the competent authority claiming similar treatment as has been extended to the previous set of petitioners in whose favour order has been passed, within a period of one month from today, the competent authority shall scrutinize his case and if on verification, it is found that the petitioner is identically placed, necessary orders in this regard be passed in accordance with law within a further period of two months.

5. If any adverse order is passed against the petitioner, he would be at liberty to move afresh before this Court.

Sd/-

(Manindra Mohan Shrivastava)
Judge