

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3911 of 2016

1. Mahendra Nirmalkar S/o Late Shri Bahruram Nirmalkar, Aged About 50 Years Occupation Sub Inspector (M) Under The Office Of Superintendent Of Police, Durg P. S. Civil Line, Durg, District Durg (Chhattisgarh).
2. Manihar Singh Sahare, S/o Late Shri Beniram Sahare, Aged About 53 Years Occupation Subedar (M), Under V. I. P. Battalion, Mana P. S. Mana, District Raipur (Chhattisgarh).

---- Petitioners

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, Police Head Quarters, Raipur (Chhattisgarh).
4. The Joint Director, Treasury, Account And Pension, District Raipur (Chhattisgarh).

---- Respondents

Shri Rakesh Anthony, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/08/2016

Heard on admission.

2. Learned counsel for the petitioners submits that the petitioners are working in the Police Department as Sub-Inspector (M) and Subedar (M) respectively. The grievance of the petitioners 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 petitioners submit fresh representation before the competent authority, their case shall be scrutinized and if after due verification, it is found that their case is similar, they shall be entitled to all such benefits available to them in accordance with law.

4. In view of above, this petition is finally disposed off with a direction that in the event, the petitioners submit fresh representation before the competent authority claiming similar treatment as has been extended to the previous set of petitioners in whose favour, Annexure P-1 has been passed, within a period of one month from today, the competent authority shall scrutinize their case 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.

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

Sd/-

(Manindra Mohan Shrivastava)
Judge