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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.1039 of 2016**

Dina Nath Singh, aged about 72 years, S/o late Shri J.M. Singh, Retired Subedar (M)/Head Clerk, under the Office of Superintendent of Police, Kanker (CG), resident of Village Haldi, Post and P.S. Haldi, District Baliya (UP).

---- Petitioner**Versus**

1. State of Chhattisgarh, through Secretary, Home and Police Affairs and Finance, Mahanadi Bhawan, New Mantralaya, Raipur (CG).
2. The Director General of Police, Police Head Quarter, Raipur, District Raipur (CG).
3. The Joint Director, Treasury, Account and Pension, Raipur, District Raipur (CG).

---- Respondents

For Petitioner : Shri Prakash Tiwari, Advocate.

For Respondents/State : Shri Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/04/2016****(1)** Heard.

(2) Learned counsel for the petitioner would submit that the petitioner was working as Subedar (M). His 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

SLP (Civil) No. 13274/2013, the benefits made admissible to the similarly placed persons vide order 03.12.2013 issued by 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 petitioner submits fresh representation before the competent authority, his case shall be scrutinized and if after due verification, if 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 the above, petition is disposed of with a direction that in the event petitioner submits fresh representation before the competent authority 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 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 a fresh before this Court.

(6) It is made clear that this Court has not expressed any opinion on the merits of the case and the competent authority may decide the representation on its own merits.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-