

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1087 OF 2017

Salman Khan, S/o Late Amin Khan, aged about 25 years, Occupation- Head Constable (M), under the office of Superintendent of Police, Bastar, Jagdalpur, District Jagdalpur (C.G.)

... Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Home Affairs, Police Department, Mahanadi Bhawan, New Mantralaya, Raipur (C.G.)
2. The Secretary, Finance, Mahanadi Bhawan, New Mantralaya, Raipur (C.G.)
3. The Director General of Police, Police Head Quarters, Raipur (C.G.)
4. The Superintendent of Police, District Jagdalpur-Bastar (C.G.)

... Respondents

For Petitioner	:	Mr. Palash Tiwari, Advocate.
For Respondent-State	:	Mr. S.P. Kale, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/03/2017

1. Grievance of the Petitioner is that, the Petitioner working as Head Constable (Ministerial) and posted at Bastar under the Respondents is being denied the grant of ad-hoc pay increase which has been granted to other similarly placed persons but who were not in Ministerial cadre.
2. Counsel for the Petitioner submits that the grievance involved in the present writ petition has already been adjudicated upon in favour of the other similarly placed persons in Writ Petition (S) No. 4563 of 2006 [Abdul Nawab Khan & Others v. The State of Chhattisgarh & Others], decided on 7.5.2009. The judgment passed by this Court in Writ Petition (S) No. 4563 of 2006 has been affirmed even up till the stage of Supreme Court. Subsequently, another batch of petitioners filed a writ petition i.e., Writ Petition No. 4523 of 2014 [Francis Xavier Back & Others v. State of Chhattisgarh & Others], and the said writ petition also got disposed on 3.7.2015, granting the benefit which has been extended to the other similarly placed persons in the light of the decision rendered in the case of Abdul Nawab Khan (supra). Counsel for the Petitioner

therefore prays that the Respondents may further be directed to consider the case of the Petitioners also in similar line.

3. Counsel for the State does not oppose the same.

4. Accordingly, the present writ petition is also disposed of in similar line as in the case of Francis Xavier Back & Others v. State of Chhattisgarh, decided on 3.7.2015 in Writ Petition (S) No. 4523 of 2014.

5. In case, if the Petitioner is found eligible, the relief as sought for may be released to him forthwith and if Respondents find that the Petitioner is not entitled, he may be suitably intimated in this regard giving reasons for his not entitlement.

6. Let this exercise be done within a period of 90 days from the date of the Petitioner presenting the certified copy of this order before the respondent authorities.

7. With the aforesaid directions, the writ petition finally stands disposed of.

Sd/-
(P. Sam Koshy)
Judge