

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5450 of 2010**

1. K.K. Agrawal aged 53 years S/o Late Shri B.L. Agrawal Sub- Auditor in Raipur Office of the Joint Director Panchayat & Social Welfare State President of Auditor Association R/o Mahamaya Mandir Ward Purani Basti Raipur (C.G.)
2. D.R. Nureti S/o Shri Kattiram Nureti, Sub Auditor In The Office Of Joint Director, Department Of Panchayat & Social Welfare, Jagdalpur, Distt. Bastar (C.G.)

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through the Secretary Panchayat, Rural Development & Social Welfare Department Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
2. State Of C.G. Through The Secretary, Finance And Planning Department, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
3. The Director, Panchayat And Rural Development & Social Welfare Department, Mahanadi Block D.K.S. Bhawan, Mantralaya, Raipur (C.G.)

---- Respondents

For Petitioners:	Mr. J.N. Nande, Advocate
For State :	Mr. Adhiraj Surana, Dy. Government Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03.03.2017**

1. The present Writ Petition is pending before this Court since year 2010. Surprisingly, though 6 years have passed the Respondent State has till date not filed their reply.
2. The grievance of the Petitioners is that the Petitioners are still getting pay structure as fixed by the 5th Pay Commission. They have not been granted benefits of 6th

Pay Commission right from the time it has been made effective by the State Government.

3. Learned Counsel for the Petitioners submits that the Petitioners have been making repeated efforts to the Respondent Authorities by way of oral as well as making representation. The Respondent authorities do not even care to take any decision on the requests made by the Petitioners nor on the representation made by the Petitioners. Further non filing of the reply in the present Petition by the Respondents have also made the condition of the Petitioners worse though 6 years have passed since the Petition was filed.
4. Be that as it may, the issue is non granting of benefits of 6th Pay Commission, this Court do not intend to keep this Writ Petition pending for consideration any further.
5. Accordingly, the present Writ Petition is disposed of with a specific direction to the Respondents No.2 & 3 to examine the case of the Petitioners whether they are entitled for benefits of the 6th Pay Commission or not. If they are entitled the same shall be released to the Petitioners forth with without any delay. However, in case the Petitioners are not entitled for benefits of the same, the Petitioners shall be intimated as to why they are not entitled for the said benefits. Let the exercise be carried out within a period of 60 days from the date of presentation of the certified copy of this order before the Respondents No.2 and 3 by the Petitioners.

6. Needless to mention that the Petitioners would still be at liberty to make representation before the Respondents giving details of their claim supported with all relevant documents for the same.
7. With the aforesaid observation the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

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