

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5617 of 2017**

1. Smt Hashmi Khan D/o Alisher Khan Aged About 34 Years Occupation Assistant Sub Inspector (A) Under The Office Of D. G. P. Raipur, R/o Near Nagar Nigam Office Ghandhi Nagar Ward No. 22 Jagdalpur, District Jagdalpur Chhattisgarh
2. Om Prakash Dubey S/o Let Shri Gopal Dubey, Aged About 32 Years Occupation Custable (A) Under The Office Of D. G. P. Raipur, Posted As Bahora Durg District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Home Affairs, Police Department, Mahanadi Mantralaya, New Raipur, District Raipur Chhattisgarh
2. The Secretary, Finance, Mahanadi Bhawan, New Raipur Chhattisgarh
3. The Director General Of Police, Home Guards, (State Disaster Resolve Force) S D R F, Head Quarter, Sector 19, New Raipur, (Chhattisgarh).

---- Respondent

For Petitioners
For Respondents

Shri Tarun Dansena, Advocate.
Shri Rajendra Tripathi, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/10/2017**

1. Heard on admission.
2. Learned counsel for the petitioner would submit that the father of the petitioner was working as Sub Inspector (M), who died in harness. 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 that event, the petitioner submits fresh representation before the competent authority, her case shall be scrutinized and if after due verification, it is found that her case is similar, she shall be entitled to all such benefits available to her in accordance with law.
4. In view of the 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 petitioner in whose favour Annexure P-1 has been passed, within a period of one month from today, the competent authority shall scrutinized her 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, she would be at liberty to move afresh before this Court.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh