

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 855 OF 2017

Sunil Kumar Rao, S/o E. Nageshwar Rao, aged about 31 years, occupation- Assistant Sub Inspector (M), under the Inspector General of Police, Durg Range, District Durg (C.G.), at present attached with Superintendent of Police, Kabirdham, District Kabirdham (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 Headquarters, Raipur (C.G.)
4. The Superintendent of Police, Kabirdham, District Kabirdham (C.G.)

... Respondents

For Petitioner	:	Mr. Prakash Tiwari, Advocate.
For Respondent-State	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/02/2017

1. The present petition has been filed seeking for a direction to the Respondents to consider the case of the Petitioner for grant of pay fixation in terms of order dated 28.9.2013 passed by the Director General of Police, State of Chhattisgarh.

2. Learned Counsel for the Petitioner submits that the issue involved in the present case already stands decided by the Coordinate Bench of this Court in Writ Petition (S) No. 4523 of 2014, decided on 3.7.2015, whereby the Coordinate Bench while disposing of the said writ petition has held as under :

“10. In view of what has been urged by the learned counsel appearing for both the parties, all the writ petitions are disposed of in the following terms.

- The Department of Home, Government of Chhattisgarh shall constitute a committee consisting of senior IPC Officers not below the rank of ADGP and a senior officer of the Finance Department not below the rank of Additional Secretary.
- The petitioners shall submit a representation before the said committee within a period of one month from today.

- The committee shall examine the issue as to whether the respective cases of the petitioners are similar to **Abdul Nawab Khan** (supra). If the petitioners are similar to those petitioners, they shall be entitled to all such benefits which are admissible to those petitioners on the subject issue.”

Learned Counsel for the Petitioner submits that the present writ petition may also be disposed of in similar terms.

3. Learned Counsel for the State on verifying and comparing the same with the decision of the Coordinate Bench dated 3.7.2015 rendered in Writ Petition (S) No. 4523 of 2014, submits that the present writ petition may be disposed of in similar terms.

4. In view of the submission made by the Counsel for the Petitioner particularly by the State Counsel, the present writ petition is also disposed of in similar terms. It is directed that the Respondents shall take into consideration the case of the Petitioner in the light of the directions issued by this Court in Writ Petition (S) No. 4523 of 2014 decided on 3.7.2015 and shall pass an appropriate order as expeditiously as possible, preferably, within a period of three months from the date of receipt of representation.

5. The present writ petition stands accordingly disposed of with the aforesaid direction.

Sd/-
(P. Sam Koshy)
Judge