

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 2727 OF 2018**

Vipin Kishore Kujur, S/o Late Shri Piyush Kujur, aged about 51 years, R/o near Sundari House, Bharrikhar, Bhatgaon, Police Station Purani Basti, Raipur, Tahsil & District Raipur (CG)

... Petitioner**versus**

1. State Of Chhattisgarh Through Its Secretary, General Administration Department, Mahanadi Mantralaya, Police Station And Post Rakhi, New Raipur, District- Raipur, Chhattisgarh.
2. State Of Chhattisgarh, Through Its Secretary, Department Of Home/ Police, Mahanadi Mantralaya, Police Station And Post- Rakhi, New Raipur, District- Raipur, Chhattisgarh.
3. Director General Of Police, (D. G. P.) / Chairman, Scrutiny Committee, Police Headquarters (Phq), Sector- 19, Block No. 3, Near Mahanadi Mantralaya, Police Station And Post- Rakhi, New Raipur, District- Raipur (CG)
4. Additional Director General Of Police, (A.D.G.P.), Administration, Police Headquarters (Phq), Sector- 19, Block No. 3, Near Mahanadi Mantralaya, Police Station And Post- Rakhi, New Raipur, District- Raipur (CG)
5. Inspector General Of Police, (I.G.P.), Office Of Inspector General Of Police (I. G. P.), Jagdalpur, District- Bastar, Chhattisgarh.
6. Superintendent Of Police, (S.P.), Office Of Superintendent Of Police (Sp), Kondagaon, District- Kondagaon, Chhattisgarh.
7. Tarsila Toppo, Inspector, Female Cell, Office Of Superintendent Of Police Surajpur, District- Surajpur, Chhattisgarh.
8. Narendra Mishra, Inspector, Office Of Anti Corruption Bureau (A.C.B.), Raipur, District- Raipur, Chhattisgarh.
9. Dadulal Mishra, Inspector, Office Of Superintendent Of Police (SP), Raigarh, District- Raigarh, Chhattisgarh.
10. Gaiyatri Sharma, Sub Inspector, Office Of Superintendent Of Police (Sp), Janjgir- Champa, District- Janjgir- Champa, Chhattisgarh.
11. Dilip Sisodiya, Inspector, Police Station- Jamul, Tahsil And District- Durg, Chhattisgarh.
12. Anaram Sahu Assistant Sub- Inspector, Police Station- Basantpur, Tahsil And District- Rajnandgaon, Chhattisgarh.
13. Rajat Sharma, Deputy Commandant, 7th Battalion, Chhattisgarh, Armed Force (Caf), Bhilai, District- Durg, Chhattisgarh.

... Respondents**WRIT PETITION (S) NO. 3487 OF 2018**

Dhaal Singh Hirwani, S/o Late Shri J.R. Hirwani, aged about 55 years, R/o Village- Purur, Post- Chitod, Police Station- Gurur, Tahsil- Gurur, District- Balod (CG)

... Petitioner**versus**

1. State Of Chhattisgarh Through Its Secretary, General Administration Department, Mahanadi Mantralaya, Police Station And Post Rakhi, New Raipur, District- Raipur, Chhattisgarh.

2. State Of Chhattisgarh, Through Its Secretary, Department Of Home/ Police, Mahanadi Mantralaya, Police Station And Post- Rakhi, New Raipur, District- Raipur, Chhattisgarh.
3. Director General Of Police, (D. G. P.) / Chairman, Scrutiny Committee, Police Headquarters (Phq), Sector- 19, Block No. 3, Near Mahanadi Mantralaya, Police Station And Post- Rakhi, New Raipur, District- Raipur (CG)
4. Additional Director General Of Police, (A.D.G.P.), Administration, Police Headquarters (Phq), Sector- 19, Block No. 3, Near Mahanadi Mantralaya, Police Station And Post- Rakhi, New Raipur, District- Raipur (CG)
5. Inspector General Of Police, (I.G.P.), Office Of Inspector General Of Police (I. G. P.), behind Nagar Nigam Office, Bilaspur, District- Bilaspur, Chhattisgarh.
6. Deputy Inspector General of Police, (D.I.G.), Administration, Police Headquarters, (PHQ), Sector-19, Block No.3, near Mahanadi, Mantralaya, Police Station & Post- Rakhi, New Raipur, District Raipur (CG)
7. Superintendent Of Police, (S.P.), Office Of Superintendent Of Police (SP), Raigarh, District- Raigarh, Chhattisgarh.
8. Tarsila Toppo, Inspector, Female Cell, Office Of Superintendent Of Police Surajpur, District- Surajpur, Chhattisgarh.
9. Narendra Mishra, Inspector, Office Of Anti Corruption Bureau (A.C.B.), Raipur, District- Raipur, Chhattisgarh.
10. Dadulal Mishra, Inspector, Office Of Superintendent Of Police (SP), Raigarh, District- Raigarh, Chhattisgarh.
11. Gaiyatri Sharma, Sub Inspector, Office Of Superintendent Of Police (Sp), Janjgir- Champa, District- Janjgir- Champa, Chhattisgarh.
12. Dilip Sisodiya, Inspector, Police Station- Jamul, Tahsil And District- Durg, Chhattisgarh.
13. Anaram Sahu Assistant Sub- Inspector, Police Station- Basantpur, Tahsil And District- Rajnandgaon, Chhattisgarh.
14. Usha Sondhia, Inspector, Police Training Academy, Chandrakhuri, Raipur, P.S. Mandir Hasoud, District Raipur (CG)
15. Rajat Sharma, Deputy Commandant, 7th Battalion, Chhattisgarh, Armed Force (Caf), Bhilai, District- Durg, Chhattisgarh.

... Respondents

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- Mr. Abhishek Pandey, Advocate, for the Petitioner.
 - Mr. D.K. Wankhede, Govt. Advocate, for the State.
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Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/10/2018

1. These are two writ petitions where the State counsel makes a submission that the order of compulsory retirement passed by the State Government was reconsidered by the High Level Committee constituted by the State Government and they have found the order of compulsory retirement to be bad in law and have recalled the same and ordered for reinstatement of the petitioners herein.

2. However, counsel appearing for the petitioners submits that they have grievance so far as the subsequent order to the extent of non-granting of the benefit of salary and other allowances during the intervening period they were out of employment is concerned.

3. Since the said claim of salary is a subsequent development which has arisen as a separate cause of action and a separate order passed by the respondents, this Court is of the opinion that the petitioners herein would have to agitate the same by a separate set of writ petitions.

4. Thus, these writ petitions on the aforesaid submission of there being an order in favour of the petitioners by the High Powered Committee of reinstatement and the order of compulsory retirement having been recalled, these two writ petitions have become infructuous, reserving the right of the petitioners to challenge the subsequent order so far as it is detrimental to these petitioners.

5. Accordingly, these two writ petitions stand dismissed as having become infructuous with the aforesaid liberty.

Sd/-
(P. Sam Koshy)
Judge