

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.5563 OF 2018**

1. Ankit Shankar Upadhyay S/o S/o Shri G. S. Upadhyay Aged About 28 Years Occupation Subedar (M)/ Stenographer, Working Under The Office Of General Branch Police Headquarter, (Attached With- C.G. State Police Accountability Authority) Raipur, District Raipur, Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Home Affairs, Police Department, Mahanadi Bhawan, New Mantralaya, Raipur, Chhattisgarh.
2. The Secretary, Finance, Mahanadi Bhawan, New Mantralaya, Raipur, Chhattisgarh.
3. The Director General of Police Police Head Quarters, Raipur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Palash Tiwari, Advocate.
For Respondent-State	:	Shri Raj Kumar Gupta, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28.08.2018**

1. Grievance of the Petitioner is that, the Petitioner working as Subedar (M)/Stenographer and posted at Police Headquarter 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 Petitioner 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