

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6852 of 2018

S. D. Singh Yadav S/o Late Shri Hariram Yadav, Aged About 76 Years,  
Occupation Inspector (M) Retired, Resident Of 51, Chandrika Housing  
Society, Bawariyakal, Bhopal (Madhya Pradesh).

---Petitioner

**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.

---Respondents

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|----------------|---|----------------------------------|
| For petitioner | : | Shri Prakash Tiwari, Advocate.   |
| For State      | : | Shri Chandresh Shrivastava, P.L. |

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Hon'ble Shri Justice P. Sam KoshyOrder on Board12/10/2018

1. The petitioner in the instant case has retired from service on 31/08/2003 from the post of Inspector (M).
2. The counsel for the petitioner submits that, the petitioner also was entitled for grant of Adhoc Pay Increase admissible to the ministerial staff of the home department. He further submits that, the grievance of the petitioner has already been adjudicated upon in favour of similarly placed employees after the case of **Abdul Nawab Khan & Ors. v. State of C.G. & Ors.** [WPS No. 4563/2006 decided by this Court on 07/05/2009].

3. The said judgment has also been affirmed right up till the Supreme Court.
4. Subsequently, another bunch of Writ Petitions of similar nature i.e. **WPS No. 4523/2014 [Francis Xavier Back & Ors. v. State of C.G. & Ors.]** was also disposed off on 03/07/2015 allowing the petitions being granted benefits which have been extended to Abdul Nawab Khan.
5. The State counsel only submits that, the present petitioner has since retired long ago, the petitioner's claim suffers from delay and latches. Moreover, the entitlement of the petitioner would be doubtful at the relevant point of time and it will have to be verified whether other similarly placed person has been granted the benefit or not.
6. In the given facts, subject to verification of the facts so far as the entitlement of the petitioner is concerned in terms of the order passed by this Court in the case of Francis Xavier Back (Supra). The case of the petitioner would also be scrutinized and an appropriate order would be pass.
7. It is made clear that, if the respondents find that the petitioner is not entitled for the same, then he may be suitably intimated giving reasons for his non-entitlement.
8. Let this exercise be done within a period of 4 months from the date of receipt of certified copy of this order.
9. The Writ Petition accordingly stands disposed off.

Sd/-

**(P. Sam Koshy)**  
**JUDGE**