

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 11 of 2019

1. Alok Singh Gautam S/o Shri Arun Singh Gautam, Aged About 26 Years, Occupation - Assistant Sub Inspector (M) Working Under The Office Of District Commandant Narayanpur, District - Bastar Chhattisgarh.
2. Gitanjali Singh Chauhan D/o Late Shri Ajay Singh Chauhan, Aged About 24 Years, Occupation - Assistant Sub Inspector (M) Working Under The Office Of District Commandant Kabirdham District - Kabirdham, Chhattisgarh.
3. Shreshtha Kartikeya D/o Late Shri D.K. Kartikeya, Aged About 24 Years, Occupation - Assistant Sub Inspector (M) Working Under The Office Of District Commandant Raipur, District - Raipur Chhattisgarh.
4. Roman Singh S/o Shri Atmaram, Aged About 31 Years Occupation - Assistant Sub Inspector (M) Working Under The Office Of District Commandant Balod District - Balod Chhattisgarh.
5. Bhan Singh S/o Shri Narbad Singh, Aged About 25 Years, Occupation - Assistant Sub Inspector (M) Working Under The Office Of District Commandant Kondagaon, District - Bastar Chhattisgarh.
6. Sourabh Shrivastava S/o Late Prakash Kumar Shrivastava, Aged About 36 Years, Occupation - Assistant Sub Inspector (M) Working Under The Office Of District Commandant Mahasamund District - Mahasamund Chhattisgarh.
7. Jyoti Mishra D/o Shri Santosh Kumar Mishra, Aged About 28 Years, Occupation - Assistant Sub Inspector (M) Working Under The Office Of Sdrf Training Center, Parsada, District - Bilaspur Chhattisgarh.

---Petitioners**Versus**

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

---Respondents

For petitioners	:	Shri Palash Tiwari, Advocate.
For State	:	Ms. Sunita Jain, Government Advocate.

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

08/01/2019

1. Grievance of the Petitioners is that, the Petitioners working as Assistant Sub-Inspector and posted at Bastar under the Respondents are 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 Petitioners 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 Petitioners therefore prays that the Respondents may further be directed to consider the case of the Petitioners 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 Petitioners are found eligible, the relief as sought for may be released to them forthwith and if Respondents find that the Petitioners are not entitled, they may be suitably intimated in this regard giving reasons for their not entitlement.
6. Let this exercise be done within a period of 90 days from the date of the Petitioners 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

Sumit