

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1880 of 2019

Rajkumar Singh S/o Late Preetam Singh, Aged About 61 Years, Working As Sub - Inspector (M) Under The Office Of S.P. Mungeli, R/o Rajkishore Nagar, Chandan Awas, House No. 2/83 District - Bilaspur Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Home Secretariat, Mahanadi Bhawan, Atal Nagar, District - Raipur Chhattisgarh.
2. The Director, General Of Police Atal Nagar, District - Raipur Chhattisgarh.
3. The Superintendent Of Police, Mungeli, District - Mungeli Chhattisgarh.
4. The Superintendent Of Police, Bilaspur, District - Bilaspur Chhattisgarh.

---Respondents

For petitioner	:	Shri Sameer Behar, Advocate.
For State	:	Shri Rahul Mishra, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/03/2019

1. The claim of the petitioner in the instant Writ Petition is the erroneous calculation of the benefit of time scale pay to the petitioner from 2012 onwards whereas according to the petitioner he should have got the benefit from 2006 onwards.
2. The contention of the counsel for the petitioner is that, the initial appointment of the petitioner is of the year 1985 and therefore the petitioner completes 20 years of service in the year 2005 and therefore the benefit of time scale pay should had been paid with effect from 2006. However, the

respondents have wrongly considered the date of appointment of the petitioner from 1992 and thereby have granted the benefit of time scale pay with effect from the year 2012. The counsel for the petitioner submits that, the petitioner has already made a detailed representation in this regard to the respondent No.2 on 22/01/2019. He further prays for a fresh detailed representation to be made to the respondents No. 2 & 4 in this regard.

3. Given the said facts and circumstances of the case and also taking note of the limited dispute that the petitioner has raised so far as counting initial appointment of the petitioner from 1985 instead of 1992, this Court is of the opinion that ends of justice would meet if the respondents No. 2 & 4 are directed to consider the case of the petitioner as to whether his initial date of appointment was 1985 and not 1992 for the purpose of grant of time pay scale for which the petitioner was entitled for on completion of continuous 20 years of service, and thereafter decide whether the petitioner would have been entitled for Time Scale Pay from 2006 or from 2012 from when he has been granted.

4. Let the respondents No. 2 & 4 pass an appropriate order at the earliest preferably within a period of 3 months from the date of receipt of fresh representation that the petitioner intends to make.

5. The Writ Petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
JUDGE