

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 1917 of 2019**

N. K. Dubey S/o Late Shri Bala Prasad Dubey, Aged About 65 Years  
Occupation - Sub Inspector ( M ) Retired Under The Office Of Director  
General Of Police, Police Head Quarter, Raipur, R/o A-5, Vinayak Sadan,  
Panchvati, Colony, Akrity Vihar Amlidih, District - Raipur Chhattisgarh.,  
District : Raipur, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Home Affairs, Police Department, Mahanadi Bhawan, New Mantralya, Atal Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Secretary Finance Department, Mahanadi Bhawan, Atal Nagar, New Mantralaya, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Director General Of Police, Police Head Quarters, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. The Joint Director, Treasury Account And Pension District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

**---- Respondents**

|                |   |                             |
|----------------|---|-----------------------------|
| For Petitioner | : | Ms. Varsha Sharma, Advocate |
| For State      | : | Ms. Sunita Jain, GA         |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****18/03/2019**

1. The grievance of the petitioner in this writ petition is that the petitioner has been denied the grant of ad hoc pay increase and the time scale pay which was paid to other similarly placed persons.
2. Counsel appearing for the parties jointly submit that the issue raised by the petitioner herein has already been considered and decided by this Court in a couple of writ petitions leading among which being WPS No. 4563/2006 (Abdul Nawab Khan Vs. State of Chhattisgarh

and others) decided on 07.05.2009. The said order was also put to test before the Supreme Court and the Supreme Court also affirmed the order passed by this Court and it is stated at the bar that the said order has since been complied with. Later on, a couple of writ petitions have also been disposed of vide order dated 03.07.2015 in WPS No. 4523/2014 (Francis Xavier Back and others Vs. State of Chhattisgarh and others) and other connected petitions.

3. At this juncture, counsel for the petitioner submits that pursuant to the order passed in the case of Abdul Nawab Khan (supra), the State Govt. has passed certain instructions which have been collectively marked as Annexure P-3 dated 03.12.2013, 15.04.2014, 11.07.2014, 09.03.2015 & 07.11.2015.
4. So far as the issue decided by this Court through the judgment passed in the case of Abdul Nawab Khan and also in the case of Francis Xavier Back (supra) is concerned, the same is not disputed by the State counsel.
5. Given the aforesaid factual matrix of the case, this Court is of the opinion that the present writ petition also deserve to be disposed of in similar terms.
6. Accordingly, the writ petition is disposed off in similar terms. Since the Department has already constituted a Committee in this regard as per the directions passed in the case of Francis Xavier Back (supra), let the case of the petitioner herein also be examined by the said Committee in the light of the decisions rendered earlier and the circulars of the State Govt. in this regard and an appropriate decision be taken at the earliest.

7. Counsel for the petitioner, at this juncture submits that the petitioner has already made representation in this regard to the authority concerned.
8. Hence, liberty is left open for the petitioner to prefer a fresh representation within a period of 2 weeks from today before the competent authority and the Committee thereafter shall examine the issue in similar terms and take a decision as to whether the petitioner is entitled for similar benefits or not which has been given to the similarly placed persons.
9. Let the Committee take a decision within an outer limit of 90 days from the date of receipt of fresh representation of the petitioner. It shall be the responsibility of the petitioner to apprise the Committee as well as respondent no.2 in respect of the order passed by this Court.
10. With the aforesaid observation the writ petition stands disposed off.

Sd/-  
**(P. Sam Koshy)**  
**Judge**