

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6753 of 2019**

Prof. R. C. Joshi S/o Late Shri R. D. Joshi, Aged About 61 Years
Government Kaketya P. G. College, Jagdalpur, District - Bastar,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, Finance Department,
Mantralaya, Atal Nagar, District - Raipur, Chhattisgarh
2. The Commissioner, Higher Education Raipur, Chhattisgarh
3. The Treasury Officer, Accounts And Treasury, Jagdalpur, District -
Bastar, Chhattisgarh
4. The Principal, Government Kaketya P.G. College, Jagdalpur, District -
Bastar, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Prafull N. Bharat with Mr. Keshav Dewangan, Advocate
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****03.09.2019**

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents to calculate special allowances and house rent allowances sanctioned to the employees posted in Bastar area which is a scheduled area, in terms of the order passed by the State Administrative Tribunal dated 11.09.1998.
2. The contention of the counsel for the petitioner is that identically placed persons in the Department who were posted along with the

petitioner in scheduled area have been granted the benefit pursuant to the judgment passed by the State Administrative Tribunal in the case of Nand Kumar Mishra and 34 others but the petitioner who was also one among the 34 persons who had filed the case before the State Administrative Tribunal has been denied the same.

3. Counsel for the petitioner submits that since the benefit has been extended to a few persons, the petitioner cannot be left out thereby an appropriate direction in this regard be issued to the Department.
4. Given the limited grievance that the petitioner has, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending, rather ends of justice would meet if the respondents 2 to 4 are directed to consider the claim of the petitioner subject to verification of fact whether he was a petitioner before the State Administrative Tribunal in O.A. No. 3259 of 1991 and whether similar benefits have been granted as per the order of the Tribunal dated 11.09.1998 to other similarly placed persons. If the petitioner is found similarly placed, an appropriate relief be released to the petitioner within a period of 4 months from the date the authorities reached to the conclusion. It is the responsibility of the petitioner to apprise the respondents 2 to 4 so far as the order passed by this Court is concerned.
5. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge