

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9807 of 2019**

Shri Laxman Prasad Yadav, S/o. Late Sadashivram Yadav, Aged About 64 Years, R/o. Jarhabhanta Bilaspur, P.S. Civil Line, District Bilaspur, Chhattigarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of Home And Police Affairs, Secretariat, Mahanadi Bhawan, New Raipur, P.S. And Post Rakhi, District Raipur Chhattisgarh.
2. Director General Of Police, Police Head Quarter, Civil Line, P.S. Civil Line, District Raipur Chhattisgarh.
3. The Secretary Finance, Mahanadi Bhawan, Mantralay Bhawan, Raipur, District Raipur, Chhattisgarh.
4. The Director (Treasury, Audit And Accounts) Raipur, District Raipur Chhattisgarh.
5. Joint Director Of Division (Fund Account And Pension) Bilaspur, District Bilaspur Chhattisgarh.
6. The Superintendent Of Police Bilaspur, P.S. Civil Line, District Bilaspur, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Badruddin Khan, Advocate
For Respondents/State	:	Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/11/2019

Heard.

1. Learned counsel for the petitioner submits that the petitioner who worked as Head Constable was retired from service on 30.06.2018 and he joined the service on 03.02.1981. It is contended that he has given two time pay-scale and according to the circular dated 08.08.2018 (Annexure P-2) issued by the State, the employees who have completed 30 years of service and have

got only two promotions would be considered for third time scale pay. It is contended that since the petitioner was appointed in the year 1981 and retired on 2018, therefore, he may be given third time pay-scale.

2. It is not in dispute that the petitioner has worked for more than 30 years and he retired on 30.06.2018. According to the circular dated 08.08.2018 the persons who have qualified services of 30 years subject to the applicability of different rules and satisfaction of the others limitation would be given the third time pay-scale.
3. The petitioner contends that the petitioner may be allowed to make a detailed representation, so that the petitioner may be able to know his position and the entitlement and as per the petition he is entitled for third time pay-scale.
4. Considering the prayer made, at this stage, petitioner is given liberty to make a representation to the respondent No.6, Superintendent of Police, Bilaspur, within a period of three weeks and thereafter, the Superintendent of Police, Bilaspur shall decide such representation in terms of the applicable circular and shall decide the entitlement of the petitioner for third time pay-scale. It is further made clear that this Court has not passed any opinion on merit as to the entitlement of the petitioner, it would be decided in the facts of this case and the existing circular of the State in accordance with law within a period of four months.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge