

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10459 of 2019

Chandelal Gaikwad S/o Late Shri F.R. Gaikwad Aged About 52 Years R/o Near Forest Naka, Gariyaband, Tahsil, Police Station And District Gariyaband, Chhattisgarh

--- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Excise, Mahanadi Bhawan, Mantralaya, Police Station And Post Rakhi, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. State Of Chhattisgarh Through Its Secretary, Department Of Finance And Planning, Mahanadi Bhawan, Mantralaya, Police Station And Post Rakhi, Atal Nagar, Raipur, District Raipur, Chhattisgarh
3. Commissioner Office Of Commissioner (Commercial Tax/excise), G.S.T. Bhavan, Atal Nagar, Police Station And Post Rakhi, Raipur, District Raipur, Chhattisgarh
4. District Excise Officer (D.E.O.) Office Of District Excise Officer, Gariyaband, District Gariyaband, Chhattisgarh

---Respondents

For the Petitioner	: Mr. Abhishek Pandey, Adv. along with Ms. Deepika Sannat, Advocate
For the Respondent	: Mr. Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19-12-2019

1. The grievance of the petitioner is that he was initially appointed as salesman in the year 1996 in Excise Department and subsequently, after 12 years, he along-with others was absorbed to the post of constable in excise department. Thereafter, on 22.01.2016 certain pay fixation was made in respect of the persons who were posted in different districts and they were given a particular pay scale which

would be evident from the documents filed as Annexure P-3.

2. It is contended that though the petitioner was posted in a different district but he has not been granted the benefit of such revised pay scale, which has been given to the other similarly situated employees who were posted along-with the petitioner. Learned counsel would submit that at present, the petitioner may be allowed to make a detailed representation to the concerned respondents along-with the order by which the similarly situated employees have been granted certain pay scale so that the petitioner would not be deprived of his right and the said representation may be directed to be decided by the respondents within a stipulated time.
3. Learned counsel for the State do not dispute the fact, brought to the notice of the Court by the petitioner.
4. Considering the limited prayer made by the petitioner that he may be allowed to raise grievance by way of representation that other similarly placed persons have been given a particular pay scale but the petitioner has been deprived, this writ petition is disposed off with an observation/direction that the petitioner would be at liberty to make a detailed representation to respondents 1 & 2 along-with the copy of the order whereby the other similarly placed persons have been given pay scale within a period of two weeks. On receipt of such representation, the respondents 1 & 2 shall consider and decide the same within a further period of 90 days with respect to the entitlement of the petitioner for the particular pay scale which has been granted to other similarly situated persons.

5. It is made clear that this Court has not expressed any opinion on merits of the case.

Sd/-

GOUTAM BHADURI
JUDGE

yasmin