

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10599 of 2019**

Krishna Kumar Tiwari, S/o. Late Shri Bhairav Prasad Tiwari, Aged About 62 Years, R/o. Old Sarkanda, Baghwa Mandir, Bilaspur, District : Bilaspur, Chhattisgarh.

---- **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 (Funds Account And Pension)) Billaspur District Bilaspur Chhattisgarh
6. The Superintendent Of Police Bilaspur, P.S. Civil Line, District Bilaspur Chhattisgarh

---- **Respondents**

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

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13.12.2019**

1. Grievance of the petitioner, who is retired from services of the police is that he had completed 30 years of service and he was entitled for the third time pay scale.
2. After examining the case of the petitioner, the Superintendent of Police/ Respondent No.6 by letter dated 14.06.2019 (Annexure P-1) came to a finding that the petitioner is entitled for third time pay scale, however, he has not been granted. Therefore, by such

communication, he directed the Joint Director, Funds Account & Pension, Bilaspur to release the dues of the petitioner by granting him third time pay scale; however, the same has not been released till today.

3. Perusal of the document Annexure P-1 would show that a communication was made by the Superintendent of Police, Bilaspur. The communication purports that objection was decided and Department came with a specific finding that the petitioner is entitled for third time pay scale, however, he has not been granted. Therefore, request was made to release the amount. Prima facie, reading of the communication would show that after entire enquiry which was conducted in respect of the service book, the said communication was made which the petitioner is entitled for third time pay scale and accordingly the financial benefit was directed to be granted. The petitioner who is a retired employee if such request was not adhered to despite the fact no dispute exists as on date, as would be evident from the letter dated 14.06.2019, the respondent No.4 & 5 whosoever in the hold of the case of the petitioner are directed to release the entire dues of the petitioner by giving the benefit of third time pay scale as has been shown in the letter dated 14.06.2019 within a further period of 90 days from the date of receipt of a copy of this order.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge