

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 4334 of 2020**

1. Ankit Shankar Upadhyaye, S/o. Shri Ganesh Shankar Upadhyaye, Aged About 30 Years, Posted As Subedar (M) in The Office of S.P. (Radio), Zone Bhilai District- Durg, Chhattisgarh, R/o. MIG-5, Behind SBI Industrial Estate, Housing Board, Bhilai, District Durg, Chhattisgarh
2. Harsh Kumar Borkar, S/o. Late Shri Pandit Ram Borkar, Aged About 40 Years, Posted As Subedar (M) In The Office Of S.P. Korba, Chhattisgarh R/o. Gram Kewat Nawagaon, Post And Thana Suryagaon, Tehsil Daundi Lohra District Balod Chhattisgarh

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh, Through The Secretary, Finance Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Secretary, Department Of Home (Police) Mahanadi Bhawan, Mantralaya, Nawa Raipur, District Raipur, Chhattisgarh
3. Director General Of Police, Police Headquarters, Near Mantralaya, Sector-19, Nawa Raipur, District Raipur, Chhattisgarh
4. Superintendent Of Police, Durg, District Durg Chhattisgarh
5. Superintendent Of Police, Korba, District Korba, Chhattisgarh
6. Joint Director, (Treasury, Accounts And Pension) Durg Division, Durg Chhattisgarh
7. Joint Director, (Treasury, Accounts And Pension) Bilaspur Division, Bilaspur, Chhattisgarh

**---- Respondents**

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For Petitioner : Ms. Naushina Afrin Ali, Advocate.

For State/ Respondents : Ms. Richa Shukla, Dy. Govt. Advocate

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**Hon'ble Shri Justice Goutam Bhaduri**

**ORDER**

**04.11.2020**

1. Learned counsel for the petitioners submits that the petitioners are posted at Subedar (M) in the office of the respondent No.4 & 5. The issue pertains to fixation of pay of the Ministerial Staff (Police) and the similar issue was decided by this Court on 03.05.2012 which was traveled up to Supreme Court wherein it was ordered that the pay-

fixation be made as per the rank. Subsequently, after dismissal of the case before the Supreme Court, the order dated 28.09.2013 was passed and it was directed that the benefit of pay-fixation to the ministerial employee as per their rank in correspondence to other executive members of the force. It is further contended that the petitioners are getting Grade Pay of Rs.2800/- whereas the similarly placed persons are getting the Grade Pay of Rs.4200/-; therefore, the petitioners are also entitled for the same. The reference is also made to the order dated 23.08.2016 (Annexure P-5) wherein the Grade Pay of different employees are fixed.

2. After perusal of the documents, it appears that the issue which has been raised about the payment of grade pay has already been settled. Therefore, in view of the above, the petition is disposed of with a direction that in the event petitioners submit fresh representations before the competent authority claiming similar treatment as has been extended to the previous set of petitioners in whose favour order was passed, within a period of one month from today, the competent authority shall scrutinize their cases and if on verification it is found that the petitioners are identically placed, necessary orders in this regard be passed in accordance with law within a further period of three months.

Sd/-  
**(Goutam Bhaduri)**  
**Judge**

Aks