

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1205 of 2021**

1. Murlidhar Soni S/o Shri Heeraman Lal Soni, Aged About 50 Years Presently Working On The Post Of Excise Constable, Civil Line Circle Raipur, District Raipur Chhattisgarh, R/o Shradha Vihar Colony Boriya Khurd, Police Station Tikrapara, Raipur, District Raipur, Chhattisgarh
2. Simon Minj S/o Late Guda Minj, Aged About 53 Years, Working On The Post Of Excise Constable Abhanpur Circle Raipur District Raipur Chhattisgarh R/o Gajarmuda, Police Station And Tahsil Lundra, District Surguja, Chhattisgarh
3. Sudarshan Choudhary S/o Bisahu Ram Choudhary, Aged About 50 Years, Working On The Post Of Excise Constable Tatibandh Circle Raipur, District Raipur, Chhattisgarh, R/o Village Kasra, Police Station Patna, District Koriya, Chhattisgarh
4. Shiv Narayan Tiwari S/o R. S. Tiwari, Aged About 58 Years Working On The Post Of Excise Constable Modhapara Circle Raipur District Raipur Chhattisgarh R/o M. I. G. 48 Sector 2 Shankarnagar Raipur District Raipur, Chhattisgarh
5. Mohd. Yeja Rasool S/o Mohd. Kayum, Aged About 58 Years, Working On The Post Of Excise Constable Tilda Circle Raipur, District Raipur Chhattisgarh, R/o Mominpura Parradand, Ambkapur, District Raipur Chhattisgarh
6. Luxmi Narayan Bhrithari S/o Late Badri Prasad Bhrithari, Aged About 54 Years, Working On The Post Of Excise Constable Modhapara Circle Raipur, District Raipur, Chhattisgarh, R/o Manjhapara Kharod Police Station Shivrinarayan, District Janjgir- Champa, Chhattisgarh
7. Bhaiyalal Kurey S/o Shivdhari Ram Kurey, Aged About 52 Years Working On The Post Of Excise Constable Dharshiwan Circle Raipur District Raipur, Chhattisgarh, R/o Kedarpur (Kodwaki Dand) Police Station Premnagar, District Surajpur, Chhattisgarh
8. Ravindra Chodhary S/o Mithhulal Choudhary, Aged About 52 Years

Working On The Post Of Excise Constable Dharsiwan Circle Raipur
District Raipur, Chhattisgarh, R/o F/A B L 14 Sector 27 New Raipur
District Raipur, Chhattisgarh

9. Vijay Kumar Verma S/o Prabhu Ram Verma, Aged About 50 Years
Working On The Post Of Excise Constable State Level Flying Gaud
Excise Commissioner Raipur, District Raipur, Chhattisgarh, R/o
Adarshnagar Mowa Gali No. 13 Raipur, District Raipur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Excise
Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. The Secretary, Department Of Finance And Planning, Mahanadi Bhawan,
New Raipur, District Raipur (Chhattisgarh)
3. Commissioner, Office Of Commissioner, (Commercial Tax/ Excise) G.S.T.
Bhawan, New Raipur, District Raipur, Chhattisgarh
4. The District Excise Officer, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioners	:	Mr. A. N. Pandey, Advocate
For State	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

19.03.2021

1. The grievance of the petitioners is that they were initially appointed as salesman in the year 1993 in Excise Department and subsequently, after 15 years, they along-with others were 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 collectively filed as Annexure P-3.

2. It is contended that though the petitioners were posted in different districts but they have 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 petitioners. Learned counsel would submit that at present, the petitioners 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 petitioners would not be deprived of their right and the said representation may be directed to be decided by the respondents within a stipulated time.
3. Considering the limited prayer made by the petitioners that they may be allowed to raise their grievance by way of representation that other similarly placed persons have been given a particular pay scale but the petitioners have been deprived, this writ petition is disposed off with an observation/direction that the petitioners 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 petitioners for the particular pay scale which has been granted to other similarly situated persons.
4. It is made clear that this Court has not expressed any opinion on merits of the case.

Sd/-
P. Sam Koshy
Judge