

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 1097 OF 2021**

Shri Laxman Prasad Yadav, S/o Late Sadashivram Yadav, aged about 64 years,
R/o Jarhabhanta, Bilaspur, P. S. Civil Line, District Bilaspur (CG)

... Petitioner

versus

1. State of Chhattisgarh, through the Secretary, Department of Home and Police Affairs, Secretariat, Mahanadi Bhawan, Mantralaya, P. S. and Post Rakhi, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. Director General of Police, Police Head Quarter, Civil Line, P. S. Civil Line, District Raipur (CG)
3. The Secretary, Department of Finance, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur (CG)
4. The Director (Treasury, Audit and Accounts), Raipur, District Raipur (CG)
5. Joint Director of Division (Funds Accounts And Pension), Bilaspur District Bilaspur (CG)
6. The Superintendent of Police, Bilaspur, P. S. Civil Line, District Bilaspur (CG)

... Respondents

For Petitioner	:	Mr. Badruddin Khan, Advocate.
For Respondents/State	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/03/2021

1. Grievance of Petitioner, who is retired from service of the Police Department, 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 Petitioner, the Respondent No.6 by letter dated 12.03.2020 (Annexure P-2) came to a finding that Petitioner is entitled for the 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 Petitioner by granting him third Time Pay Scale; however, the same has not been released till today.
3. Perusal of the document, Annexure P-2, 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 Petitioner is entitled for third Time Pay Scale, however, he has not been granted. Therefore, a 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. 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 12.03.2020, the Respondents No. 4 & 5 whosoever in the hold of the case of Petitioner are directed to release the entire dues of Petitioner by giving the benefit of third Time Pay Scale as has been shown in the letter dated 12.03.2020 within a further period of 90 days from the date of receipt of copy of this order.

4. With the aforesaid direction, the Writ Petition stands disposed of.

/Sharad/

Sd/-
(P. Sam Koshy)
JUDGE