

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1183 of 2021**

1. Anil Kumar Pandey S/o Late Rajnath Pandey, Aged About 55 Years Presently Working On The Post Of Excise Constable, Excise Circle Dabhara- R/o Ward No. 9, Shakti, District Janjgir Champa (Chhattisgarh)
2. Mohan Lal Chouhan S/o Late Kanhaiya Lal Chouhan, Aged About 53 Years, Presently Working On The Post Of Excise Constable, Excise Circle Shakti, R/o Ward No. 2, Shakti, District Janjgir Champa (Chhattisgarh)
3. Santosh Kumar Rathor S/o Shri Jivan Lal Rathor, Aged About 53 Years Presently Working On The Post Of Excise Constable, Excise Circle Janjgir Town, R/o Ward No. 23, Janjgir, District Janjgir Champa (Chhattisgarh)
4. Raman Lal Nemi S/o Shri Gajanand Lal Nemi, Aged About 57 Years Presently Working On The Post Of Excise Constable, Excise Circle Janjgir Town- R/o Ward No. 12 Janjgir, District Janjgir Champa (Chhattisgarh)
5. Kalyan Prasad Kahara S/o Late Terasram Kahara, Aged About 52 Years, Presently Working On The Post Of Excise Constable, Excise Circle Champa- R/o Ward No. 9 B.D.Mahant Ward Saragawon, District Janjgir Champa (Chhattisgarh)
6. Jaishankar Prasad Kamlesh S/o Late Pandh Ram, Aged About 52 Years, Presently Working On The Post Of Excise Constable, Excise Circle Dabhara- R/o Amoda, District Janjgir Champa (Chhattisgarh)
7. Subhash Chand Tiwari S/o Late Rampati Tiwari, Aged About 56 Years Presently Working On The Post Of Excise Constable, Excise Circle- Shakti- R/o Budhwari Market Shakti, District Janjgir Champa (Chhattisgarh)
8. Sanjay Singh Rajput S/o Jham Singh Rajput, Aged About 52 Years

Presently Working On The Post Of Excise Constable, Excise Circle,
Kawardha Town, District Kabirdham (Chhattisgarh) R/o Kawardha
District Kabirdham (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, Korba, District Korba (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**