

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 1656 OF 2021**

• Shri Anand Masih, S/o Late S. Masih, aged about 63 years, R/o Quarter No.6, Fase 1, Q-6, Vaishnavi Vihar, Uslapur, Bilaspur Police Station, Sakti, District Bilaspur (CG) **... Petitioner**

versus

1. State of Chhattisgarh, through its Secretary, Department of Home and Police Affairs, Secretariat, Mahanadi Bhawan, New Raipur, Police Station and Post Rakhi, District Raipur (CG)
2. Director General of Police, Police Head Quarter, Civil Line, Police Station Civil Line, District Raipur (CG)
3. The Secretary, Finance, Mahanadi Bhawan, Mantralay Bhawan, Raipur, District Raipur (CG)
4. The Director (Treasury, Audit and Accounts), Raipur, District Raipur (CG)
5. Joint Director of Division (Funds, Account and Pension), Bilaspur, District Bilaspur (CG)
6. The Superintendent of Police, Bilaspur, Police Station Civil Line, District Bilaspur (CG) **... Respondents**

For Petitioner	:	Mr. Badruddin Khan, Advocate.
For Respondents/State	:	Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/04/2021

1. Grievance of Petitioner, who is retired from the services 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 Superintendent of Police/ Respondent No.6 by Order dated 13.04.2020 (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 the Department came with a specific finding that Petitioner is entitled for the third time pay scale, however, he has not been granted. Therefore, a request was made to release the amount.

4. Prima facie, a plain reading of the communication would show that after the entire enquiry which was conducted in respect of the service book, the said communication was made which the Petitioner is entitled for the third time pay scale and accordingly the financial benefit was directed to be granted. Petitioner being a retired employee, if such a request was not adhered to despite the fact that no dispute exists as on date, as would be evident from the Order dated 13.04.2020, the Respondent 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 Order dated 13.04.2020 within a further period of 90 days from the date of receipt of copy of this order.

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

sharad

Sd/-
(P. Sam Koshy)
JUDGE