

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1774 of 2021**

1. Sarita Devi S/o Shri Satya Prakash Patel Aged About 28 Years Posted As Constable (M) Working Under The Office Of Superintendent Of Police Surguja District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home Affairs, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. The Secretary Finance, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
3. The Director General Of Police Police Head Quarters, Atal Nagar, Raipur District Raipur Chhattisgarh
4. The Superintendent Of Police Surguja District Surguja Chhattisgarh

----Respondents

For Petitioner	:	Shri Sachidanand Yadav, Advocate.
For State	:	Shri Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/03/2021**

1. Grievance of the Petitioner is that, the Petitioner working as Constable (M) under the Respondents is being denied the grant of pay fixation which has been granted to other similarly placed persons but who were not in Ministerial cadre
2. Counsel for the Petitioner submits that the grievance involved in the present writ petition has already been adjudicated upon in favour of the other similarly placed persons in Writ Petition (S) No. 4563 of 2006 [Abdul Nawab Khan & Others v. The State of Chhattisgarh & Others], decided on 7.5.2009. The judgment passed by this Court in Writ Petition (S) No. 4563 of 2006 has been affirmed even up till the stage of Supreme Court. Subsequently, another batch of petitioners filed a writ petition i.e., Writ Petition No. 4523 of 2014

[Francis Xavier Back & Others v. State of Chhattisgarh & Others], and the said writ petition also got disposed on 3.7.2015, granting the benefit which has been extended to the other similarly placed persons in the light of the decision rendered in the case of Abdul Nawab Khan (supra). Counsel for the Petitioner therefore prays that the Respondents may further be directed to consider the case of the Petitioners also in similar line.

3. Counsel for the State does not oppose the same.
4. Accordingly, the present writ petition is also disposed of in similar line as in the case of Francis Xavier Back & Others v. State of Chhattisgarh, decided on 3.7.2015 in Writ Petition (S) No. 4523 of 2014.
5. In case subject to verification, if the Petitioner is found eligible, the relief as sought for may be released to him/her forthwith and if Respondents find that the Petitioner is not entitled, he may be suitably intimated in this regard giving reasons for his non entitlement.
6. Let this exercise be done within a period of 90 days from the date of the Petitioner presenting the certified copy of this order before the respondent authorities.
7. With the aforesaid directions, the writ petition finally stands disposed off.

Sd/-

(P. Sam Koshy)
Judge