

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7527 of 2011

- Rajendra Prasad Manwatkar, S/o Shri Gendlal Manwatkar, aged about 50 years, Company Commander, Nagar Sena, Raigarh, District Raigarh, C.G. R/o Qtr. No.F/10, South Chakradhar Nagar Colony, in front of Rose Garden, Raigarh, District Raigarh, C.G.

----- Petitioner

Versus

- 1.State Of Chhattisgarh through the Secretary, Department of Home, D.K.S. Bhawan, Raipur, C.G.
- 2.The Director General of Home Guard, Chhattisgarh Nagar Sena, Mana Raipur, C.G.
- 3.District Commandant, Nagar Sena, Raigarh, District Raigarh, C.G.
- 4.Accountant General, through Senior Accounts Officer, Pagariha Complex, Raipur, C.G.
- 5.Joint Director, Treasury, Account & Pension, Nutan Chowk, Bilaspur, C.G.

----- Respondents

For Petitioner :- Mr. A.K. Prasad, Advocate.

For State/Respondents :- Mr. Animesh Tiwari, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03/08/2021

1. Proceedings of this matter have been taken up through video conferencing.
2. Learned counsel for the petitioner would submit that though he has been promoted on the post of Company Commander by order dated 28.08.2004 vide Annexure – P/4 but pay scale of the petitioner has not been fixed according to the post, which he was drawing at the time of promotion and for which he has made representation which has been rejected by order dated 13.09.2011 vide Annexure – P/2. Mr. A.K. Prasad, learned counsel for the petitioner, would further submit that Senior Staff Officer has rejected the representation on the ground that it has been fixed by the Joint Director Treasury whereas it ought to have been decided by the respondent No.2.
3. Learned State counsel would support the impugned order.

4. True it is that petitioner's representation has been decided by the Senior Staff Officer it has not been decided by the Competent Authority.

5. In view of that, respondent No.2-Director General of Home Guard is directed to consider and dispose off the petitioner's representation within 45 days from the date of receipt of copy of this order without being influenced by order dated 13.09.2011 which has been decided by Senior Staff Officer. Petitioner's representation will be decided within its own merits. However, petitioner is at liberty to file additional representation within three weeks from today.

6. With the aforesaid observation / direction the instant writ petition stands disposed off.

Sd/-
(Sanjay K. Agrawal)
Judge