

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2278 of 2021**

1. Madhva Kshetri W/o Late Mahesh Kshetri Aged About 33 Years
Occupation - Head Constable (M), Working Under The Office Of A.I.G.
(Administration), Police Head Quarter Atal Nagar Raipur Attached With
Under The Office Of 7th B.N. Chhattisgarh Arms Force Bhilai District -
Durg Chhattisgarh., District : Durg, Chhattisgarh
2. Sulochana Rana W/o Late Vikas Rana Aged About 39 Years
Occupation - Constable (M), Presently Working Under The Office Of
7th B.N. Chhattisgarh Arms Force Bhilai District - Durg Chhattisgarh.,
District : Durg, Chhattisgarh

---- Petitioners**Versus**

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

-----Respondents

For the Petitioners	:	Mr. Palash Tiwari, Advocate
For the State	:	Ms. Akanksha Jain, Dy,G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/04/2021**

1. Grievance of the Petitioners is that, the Petitioners working as Head Constable/Constable (Ministerial) and posted at Raipur under the Respondents is being denied the grant of ad-hoc pay increase which has been granted to other similarly placed persons but who were not in Ministerial cadre.
2. Counsel for the Petitioners 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 Petitioners 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 submits that the matter needs to be verified from the records whether the case of the petitioners is identical or not and the relief can be extended subject to the petitioners being identically placed.

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, if the Petitioners are found eligible, the relief as sought for may be released to them forthwith and if Respondents find that the Petitioners are not entitled, they may be suitably intimated in this regard giving reasons for their not entitlement.

6. Let this exercise be done within a period of 90 days from the date of the petitioners presenting the certified copy of this order before the respondent authorities.

7. With the aforesaid directions, the writ petition finally stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Parul