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HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 2547 OF 2021**

1. Shweta Singh, Wd/o Late Vikash Singh, aged about 37 years, working as ASI, office of Superintendent of Police, Bilaspur, R/o Subham Vihar, Lafagarh Gas Godown Road, near Arti Beauty Parlor, Bilaspur, District Bilaspur (CG)
2. Smt. Rashmi Panna, Wd/o Late Ashok Jone Panna, aged about 35 years, working as Assistant Sub Inspector, office of Superintendent of Police, Bilaspur, R/o House No. A/28, Mahamaya Park, Mangla, Bilaspur, District Bilaspur (CG)
3. Smt. Shephali Pandey, Wd/o Late Akhilesh Kumar Pandey, aged about 28 years, working as A.S.I. (M), (Tele Communication), Bilaspur Zone, Bilaspur, R/o R.T.S. Colony, nearby Railway Bharti Board, Police Quarter Colony, Torwa, Bilaspur, District Bilaspur (CG)
4. Rupesh Xalxo, S/o Amrit Xalxo, aged about 23 years, working as Head Constable, office of Superintendent of Police, Bilaspur, R/o 2nd Battalion Sakri, Bilaspur, District Bilaspur (CG)

... Petitioners**versus**

1. State of Chhattisgarh, through the Secretary, Finance Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (CG)
2. State of Chhattisgarh, through the Secretary, Home Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (CG)
3. Director General of Police, Police Headquarters, Civil Lines, Raipur, District Raipur (CG)
4. Superintendent of Police, Bilaspur, District Bilaspur (CG)
5. Superintendent of Police, Tele Communication, Bilaspur, District Bilaspur (CG)
6. Joint Director, Treasury, Accounts and Pension, Bilaspur Division, Bilaspur, District Bilaspur (CG)

... Respondents

For Petitioners	:	Mr. H.B. Agrawal, Sr. Advocate, assisted by Mr. K.S. Pawar, Advocate.
For Respondents/State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/06/2021**

1. Grievance of Petitioners is that they have been denied the grant of ad-hoc pay increase which was paid to other similarly placed persons.
2. Learned Counsels appearing for the parties jointly submit that the issue raised by Petitioners has already been considered and decided by this Court in a

couple of Writ Petitions, leading among which being WPS No.4563/2006 (Abdul Nawab Khan Vs. State of Chhattisgarh and others) decided on 7.5.2009. The said order was also put to test before the Hon'ble Supreme Court and the Supreme Court also affirmed the order passed by this Court and it is stated at the bar that the said order has since been complied with. Later on, a couple of Writ Petitions have also been disposed of vide order dated 3.7.2015 passed by this Court in WPS No.4523/2014 (Francis Xavier Back and others Vs. State of Chhattisgarh and others) and other connected petitions.

3. At this juncture, learned Senior Counsel for Petitioners submits that pursuant to the order passed in Abdul Nawab Khan (supra), the State Government has passed certain instructions on 3.12.2013, 15.4.2014, 11.7.2014, 9.3.2015 & 7.11.2015.
4. So far as the issue decided by this Court in Abdul Nawab Khan (supra) and also in the case of Francis Xavier Back (supra) is concerned, the same is not disputed by learned State counsel.
5. Given the aforesaid factual matrix of the case, this Court is of the opinion that the present Writ Petition also deserves to be and is accordingly disposed of in similar terms.
6. Since the Department has already constituted a Committee in this regard as per the directions passed in the case of Francis Xavier Back (supra), let the case of Petitioners herein also be examined by the said Committee in the light of the decisions rendered earlier and the circulars of the State Government in this regard and an appropriate decision be taken at the earliest.
7. Learned Senior Counsel for Petitioners at this juncture submits that Petitioners have already made representations in this regard to the authorities concerned. Hence, the liberty is left open for the Petitioners to prefer a fresh

representation within a period of two weeks from today before the Competent Authority and the Committee thereafter shall examine the issue in similar terms and take a decision as to whether the Petitioners are entitled for similar benefits or not which have been given to the other similarly placed persons.

8. Let the Committee take a decision in this regard within an outer limit of 90 days from the date of receipt of fresh representation of Petitioners. It shall be the responsibility of Petitioners to apprise the Committee as well as Respondent No.2 in respect of the Orders passed by this Court.
9. With the aforesaid observations, the Writ Petition stands disposed of.

sharad

**Sd/-
(P. Sam Koshy)
JUDGE**

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 376 of 2021**

Smt. Shephali Pandey Wd/o Late Abhilesh Pandey Aged About 28 Years Working As A.S.I. (M), (Tele Communication) Bilaspur Zone, Bilaspur, R/o R.T.S. Colony, Nearby Railway Bharti Board, Police Quarter Colony, Torwa, Bilaspur, District - Bilaspur (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Secretary, Finance Department, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh)
2. State Of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh)
3. Director General Of Police Police Head Quarters, Civil Lines, Raipur, District Raipur (Chhattisgarh)
4. Superintendent Of Police Bilaspur, District - Bilaspur, Chhattisgarh
5. Superintendent Of Police Tele Communication, Bilaspur, District Bilaspur (Chhattisgarh)
6. Joint Director Treasury, Account And Pension, Bilaspur Division, Bilaspur, District - Bilaspur (Chhattisgarh)
7. Shweta Singh Wd/o Late Vikas Singh Aged About 37 Years Working As ASI, Office Of Superintendent Of Police, Bilaspur, R/o Subham Vihar, Lafagarh Gas Godown Road, Nearby Arti Beauty Parlor, Bilaspur, District - Bilaspur (Chhattisgarh)
8. Smt. Rashmi Panna Wd/o Late Ashok Jone Panna Aged About 35 Years Working As Assistant Sub Inspector, Office Superintendent Of Police, Bilaspur, R/o House No. A/28, Mahamaya Park, Mangla Bilaspur, District - Bilaspur (Chhattisgarh)

9. Rupesh Xalxo S/o Amrit Xalxo Aged About 23 Years Working As Head Constable Office Of Superintendent Of Police Bilaspur, R/o 2nd Battalion Sakri, Bilaspur, District - Bilaspur (Chhattisgarh)

----Respondents

For Applicant	:	Mr. H.B. Agrawal, Senior Advocate along with Ms. Preeti Yadav, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

05/08/2021

1. The present MCC has been filed seeking modification of the order dated 18.06.2021 passed in WPS No. 2547/2021. The modification sought for is to the extent of husband's name of the petitioner No.3. According to the applicant, the actual name of the petitioner No.3's husband was 'Abhilesh Pandey', whereas erroneously in the writ petition the husband's name has been reflected as 'Akhilesh Kumar Pandey' and hence the MCC has now been filed seeking for appropriate modification.
2. The limited prayer is not opposed.
3. Considering the fact that the error occurred on account of the mistake on the part of the counsel in the course of drafting of the writ petition itself, the MCC stands allowed as of now and the counsel for the applicant is directed to ensure that necessary corrections are also carried out in the records of the original writ petition within a period of two days.
4. Accordingly, the present MCC also stands allowed, holding that the name of the present applicant-the petitioner No.3 in the original writ petition be read as "Smt. Shephali Pandey Wd/o. Late Abhilesh

Pandey” instead of “Smt. Shephali Pandey Wd/o. Late Akhilesh Kumar Pandey”.

5. The certified copy of the present MCC be given to the applicant only after the necessary correction is made in the original writ petition. Let a copy of the present MCC be also made a part of the records of the original writ petition i.e. WPS No. 2547/2021.
6. With the aforesaid observations, the present MCC stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved