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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3434 of 2021**

1. Kadar Sharif S/o Late Ahmad Sharif, Aged About 52 Years, Working On The Post Of Excise Constable, R/o- Danteshwari Ward, Jagdalpur, District - Bastar, Chhattisgarh
2. Rajendra Rangari S/o Late Shiv Ram Rangari, Aged About 55 Years Working On The Post Of Excise Constable, R/o- Collectorate Road, Maharani Ward, Jagdalpur, District - Bastar, Chhattisgarh
3. Kailash Pandey S/o Late Brahmanand Pandey, Aged About 56 Years Working On The Post Of Excise Constable, R/o- Chhatrapati Shivaji Ward No. 35, Jagdalpur, District - Bastar, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through - Secretary, Department Of Excise, Mantralaya, Mahanadi Bhawan, New Raipur, Atal Nagar, Raipur Chhattisgarh
2. The Secretary, Department Of Finance And Planning, Mahanadi Bhawan, New Raipur, District - Raipur, Chhattisgarh
3. Commissioner, Office Of Commissioner (Commercial Tax / Excise), G.S.T. Bhawan, Atal Nagar, New Raipur, District - Raipur, Chhattisgarh
4. Deputy Commissioner, Excise Flying Squad, Jagdalpur, District - Bastar, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Pushkar Sinha, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board**

09.07.2021

1. The grievance of the petitioners is that they were initially appointed as salesman in the year 1993 in Excise Department and subsequently, after 15 years, they along-with others were absorbed to the post of Constable in excise department. Thereafter, on 22.01.2016 certain pay fixation was made in respect of the persons who were posted in different districts and they were given a particular pay scale which would be evident from the documents collectively filed as Annexure P-3.
2. It is contended that though the petitioners were posted in a different district but they have not been granted the benefit of such revised pay scale, which has been given to other similarly situated employees who were posted along-with the petitioners. Learned counsel would submit that at present, the petitioners may be allowed to make a detailed representation to the concerned respondents along-with the order by which the similarly situated employees have been granted certain pay scale so that the petitioners would not be deprived of their rights and the said representation may be directed to be decided by the respondents within a stipulated time.
3. Considering the limited prayer made by the petitioners that they may be allowed to raise grievance by way of representation that other similarly placed persons have been given a particular pay scale but the petitioners have been deprived, this writ petition is disposed off with an observation/direction that the petitioners would be at liberty to make a detailed representation to respondents 1 & 2 along-with the copy of the order whereby the other similarly placed persons have been given pay scale within a period of two weeks. On receipt of such representation, the respondents 1 & 2 shall consider and decide the same within a

further period of 90 days with respect to the entitlement of the petitioners for the particular pay scale which has been granted to other similarly situated persons.

4. It is made clear that this Court has not expressed any opinion on merits of the case.

**Sd/-
P. Sam Koshy
Judge**