

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4962 of 2021

Shri Shivkumar Sonkar S/o Late Taturam Sonkar Aged About 65 Years R/o
White House Uslapur, P. S. Sakri District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Home And Police Affairs, Secretariat, Mahanadi Bhawan, New Raipur P. S. And Post Rakhi, District Raipur Chhattisgarh
2. Director General Of Police, Police Head Quarter, Civil Line, P. S. Civil Line District Raipur Chhattisgarh
3. The Secretary Finance, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
4. The Director (Treasury, Audit And Accounts) Raipur District Raipur Chhattisgarh
5. Joint Director Of Division (Funds Account And Pension) Bilaspur District Bilaspur Chhattisgarh
6. The Superintendent Of Police Bilaspur P. S. Civil Line, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Badruddin Khan, Advocate
For State	:	Mr. Neeraj Pradhan, Panel Lawyer

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

16/09/2021

1. The grievance of the petitioner in the present writ petition is the non-granting of the 3rd Time Scale Pay to the petitioner in terms of the circular dated 08.08.2018 passed by the respondent authorities.

2. The petitioner in the present writ petition was working under the respondents as a Constable and retired from service w.e.f. 31.01.2017. According to the petitioner, on the date of retirement he had already completed more than 30 years of continuous service. It is further contention of the petitioner that at the time of his retirement the petitioner had already got the advantage of the 1st and 2nd Time Scale Pay and therefore in terms of the circular dated 08.08.2018, the petitioner was also entitled for the 3rd Time Scale Pay.
3. It is not in dispute that the petitioner has worked for more than 30 years and he retired in the year 2017. According to the circular dated 08.08.2018 the persons who have qualified services of 30 years subject to the applicability of different rules and satisfaction of the others limitation would be given the third time pay-scale.
4. The petitioner contends that the petitioner may be allowed to make a detailed representation, so that the petitioner may be able to know his position and the entitlement and as per the petition he is entitled for third time pay-scale.
5. Considering the prayer made, at this stage, petitioner is given liberty to make a representation to the respondent No.6, Superintendent of Police, Bilaspur, within a period of three weeks and thereafter, the Superintendent of Police, Bilaspur shall decide such representation in terms of the applicable circular and shall decide the entitlement of the petitioner for third time pay-scale. It is further made clear that this Court has not expressed any opinion on merit as to the entitlement of the petitioner, it would be decided in the facts of this case and the

existing circular of the State in accordance with law within a period of four months.

6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved