

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5272 of 2021**

Smt. Mamta Sahu W/o Shri Shatruhan Lal Sahu Aged About 35 Years Working As Head Constable, Office Of Superintendent Of Police (Tele Communication), Bilaspur Zone, District Bilaspur Chhattisgarh, R/o Indira Vihar, Bandhwapara, Sarkanda, Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner**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 Telecommunication, Bilaspur, District Bilaspur Chhattisgarh
6. Joint Director Treasury, Account And Pension, Bilaspur Division, Bilaspur, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. S. K. Kushwaha, Advocate.
For State	:	Mr. Kunal Das, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29.09.2021**

1. The grievance of the petitioner in the present writ petition is that the petitioners have been denied the grant of ad hoc pay increase which was paid to other similarly placed persons.
2. Counsel appearing for the parties jointly submit that the issue raised by the petitioner herein 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 07.05.2009. The said order was also put to test before the 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 03.07.2015 in WPS No. 4523/2014 (Francis Xavier Back and others Vs. State of Chhattisgarh and others) and other connected petitions.

3. At this juncture, counsel for the petitioner submits that pursuant to the order passed in the case of Abdul Nawab Khan (supra), the State Govt. has passed certain instructions which have been collectively marked as Annexure P-3 dated 03.12.2013, 15.04.2014, 11.07.2014, 09.03.2015 & 07.11.2015.
4. So far as the issue decided by this Court through the judgment passed in the case of Abdul Nawab Khan and also in the case of Francis Xavier Back (supra) is concerned, the same is not disputed by the 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 disposed of in similar terms.
6. Accordingly, the writ petition is disposed of in similar terms. 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 the petitioner herein also be examined by the said Committee in the light of the decisions rendered earlier and the circulars of the State Govt. in this regard and an appropriate decision be taken at the earliest.
7. Counsel for the petitioner, at this juncture submits that the petitioner has already made representation in this regard to the authority concerned.
8. Hence, liberty is left open for the petitioner to prefer a fresh representation within a period of 2 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 petitioner is entitled for similar benefits or not which has been given to the similarly placed persons.

9. Let the Committee take a decision within an outer limit of 90 days from the date of receipt of fresh representation of the petitioners. It shall be the responsibility of the petitioner to apprise the Committee as well as respondent no.2 in respect of the order passed by this Court.
10. With the aforesaid observation the writ petitions stand disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit