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SOURABH BHILWAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7949 of 2026

Shiksha Meshram D/o Shri Santosh Lonhare Aged About 42 Years (Appointed As Ku. Shiksha Lonhare). Presently Working As Assistant District Public Prosecution Officer, Office Of The Deputy Director (Prosecution), District Durg, Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through The Secretary, Dpeartment Of Home, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh

2 - The Secretary, Department Of Finance, Government Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh

3 - The Director, Directorate Of Public Prosecution, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh

4 - Directorate Of District Prosecution, District Durg, Chhattisgarh

... Respondent(s)

(Cause title is taken from Case Information System)

For Petitioner	: Mr. Pankaj Singh, Advocate
For Respondents/ State	: Mr. Aditya Tiwari, Panel Lawyer

Hon’ble Shri Bibhu Datta Guru, Judge

Order on Board

05/11/2026

1. By the present writ petition, the petitioner seeks for the following reliefs :-

> “a. To issue a writ of mandamus, or any other appropriate writ, order or direction, commanding the Respondents to grant to the Petitioner the first higher pay scale (Samayman Vetanman /Time Scale Pay) admissible to the post of Assistant District public Prosecution Officer under the Memo No. 97/107/Vitt/Niyam/Char/2008 dated 28.04.2008 of the Finance and Planning Department read with Appendix-1 and Serial No. 50 of Appendix-2 thereto, with effect from 21.12.2020, and to fix the pay of the Petitioner accordingly in the corresponding revised pay structure, within such time as this Hon'ble Court may deem fit;
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> b. To direct the Respondents to pay to the Petitioner the full arrears of pay and allowances arising from the grant of the first higher pay scale with effect from 21.12.2020, along with interest thereon at such rate as this Hon'ble Court may deem fit, with all consequential benefits;
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> c. To declare that the inaction of the Respondents in not granting the first higher pay scale to the Petitioner, and in not deciding her representation dated 22.10.2026, is illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India;

d. In the alternative, and without prejudice to the above, to direct Respondent No. 3 to decide the representation dated 22.10.2026 of the Petitioner by a reasoned and speaking order, in the light of the Memo dated 28.04.2008, within such time as this Hon'ble Court may deem fit;

e. To pass any other order(s) in favour of the Petitioner as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case, with costs.”

2. Learned counsel for the petitioner submits that the petitioner, who was appointed as Assistant District Public Prosecution Officer through direct recruitment by the Chhattisgarh Public Service Commission and joined service on 21.12.2010, became entitled to the first higher pay scale upon completion of ten years of service, i.e., with effect from 21.12.2020, in terms of the scheme notified vide Memo dated 28.04.2008. He submits that the post of Assistant Public Prosecution Officer is specifically included in Appendix-2 of the said scheme and, despite fulfilment of all the prescribed conditions, the respondents have neither granted the benefit nor decided the petitioner's representation dated 22.10.2026. He, therefore, prays for a direction to the respondents to grant the petitioner the first higher pay scale with effect from 21.12.2020, along with consequential benefits. He also submits that the petitioner may be permitted to file a fresh representation before respondent No.3 and a direction be issued to the respondent No.3 to take and consider his representation.

3. Learned State counsel submits that in view of the limited prayer, he is not having any objection.

4. Heard learned counsel for the respective parties.

5. On due consideration and looking to the submissions made by the counsel for the respective parties, this writ petition at this stage is disposed of permitting the petitioner to submit a fresh representation along with other supporting documents before the concerned respondent authorities and in the event if such representation is submitted, the same shall be considered and decided by the concerned respondent authorities in accordance with law, expeditiously preferably within a period of 3 months from the date of receipt of the representation.

6. Order accordingly.

Sd/-

(Bibhu Datta Guru)
JUDGE

$. Bhilwar