

GAHC030007642024



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WA/18/2024**

Rochhara Chhangte  
Inspector (AB), 2nd IR Battallion, Khawzawl, Mizoram

VERSUS

State of Mizoram and 4 Ors.  
R/b the Chief Secretary to the Govt. of Mizoram, Aizawl

2:The Secretary to the Govt. of Mizoram  
Home Department  
Govt. of Mizoram  
Aizawl

3:The Secretary to the Govt. of Mizoram  
Finance Department  
Govt. of Mizoram  
Aizawl

4:The Director General of Police  
Govt. of Mizoram  
PHQ  
Khatla  
Aizawl

5:The Chief Controller of Accounts  
Accounts and Treasuries Department  
Govt. of Mizoram  
Aizawl

**Advocate for the Petitioner** : Ms. Lalramengmawii

**Advocate for the Respondent** : Addl. AG/GA, Mizoram

**B E F O R E**

**HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA**  
**HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA**

**03.06.2026**

*(M. Zothankhuma, J)*

The appellant has put to challenge the impugned Judgment & Order dated 17.10.2024, passed by the learned Single Judge in WP(C) No. 89/2023. The appellant's case is that the pay given to a promotee Sub-Inspector under Rule 13 of the ROP Rules, 2010 is lower than the pay of a direct recruit fixed under Rule 15 Table-2. However, when the writ petitioner/appellant was promoted to the post of Sub-Inspector Armed Branch from Havildar, his pay was not fixed in terms of Rule 13, but in terms of Rule 15 Table-2.

The appellant/writ petitioner was thereafter, promoted to the post of Inspector on 09.05.2022, and his pay was fixed in terms of Rule 13 of the ROP Rules, 2010 by re-calculating the pay he should have received as Sub-Inspector in terms of Rule 13 of the ROP Rules, 2010. He submits that the pay of a direct recruit and a promotee in the same grade should be the same and cannot be different.

One question that disturbs us is the fact that there is no challenge to the Rule 13 of the ROP Rules, 2010 and the appellant's counsel will have to address this issue, as to whether we can pass an order in violation of Rules made under the proviso to Article 309 of the Constitution, in the absence of a challenge to the said Rules.

List the matter again on **09.06.2026**.

**JUDGE**

**JUDGE**

**Comparing Assistant**