



CGHC010392992026



2026:CGHC:43923

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7419 of 2026

1 - Shrimati Chauhan W/o Late Ramlal Chauhan Aged About 48 Years
R/o House No. 32, Purani Basti Nadigaon Tahsil - Baramkela District
Sarangarh-Bilaigarh Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Agriculture
Development And Farmers Welfare And Biotechnology Department,
Mahanadi Bhawan, Mantralaya, Atal Nagar Nawa Raipur District Raipur
Chhattisgarh

2 - The Director, Horticulture And Plantation Forestry Department
Telibandha Road Near Old Railway Crossing Raipur, District Raipur
Chhattisgarh

3 - Deputy Director Department Of Horticulture, Behind Sindhi Colony
Rajendra Nagar, Bilaspur District Bilaspur Chhattisgarh

4 - The Superintendent Of Horticulture Government Horticulture Ropani
Nadigaon, Block Baramkela District Raigarh Now District Sarangarh-
Bilaigarh Chhattisgarh

5 - The Joint Director Treasury, Account And Pension Bilaspur, District Bilaspur Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Ms.Varsha Sharma, Advocate
For Respondents/State	:	Mr.Aditya Tiwari, PL

(Hon'ble Mr. Justice Ravindra Kumar Agrawal)

Order on Board

09/10/2026

By way of the instant writ petition, the petitioner has prayed for the following reliefs:"

"i. That, this Hon'ble Court may kindly be pleased to direct the respondents to pay the amount of leave encashment in favour of petitioner in light of the order passed by this Hon'ble Court in WP(S) No. 3870 /2021 with interest.

ii. Any other relief/reliefs which may deem fit and proper in the facts and circumstances of the case, may also be granted in favour of the petitioner."

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3. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed under the respondent authorities as a Gardener in the year 1994. It is further submitted that the petitioner continued to discharge his duties under the respondent authorities and, upon attaining the age of superannuation, retired from service. It is contended that, despite the petitioner's entitlement to the admissible

post-retirement benefits, the respondent authorities have failed to extend the benefit of leave encashment to him. The petitioner has, therefore, approached this Court seeking appropriate directions for the release of the said benefit.

4. Learned counsel for the petitioner further submits that, in view of the judgment passed by this Court in ***Faguvaram Patel & Others v. State of Chhattisgarh & Another, in W.P.(S) No. 3870 of 2021 and other connected matters***, decided on **30.09.2023**, the petitioner is also entitled to the benefit of leave encashment, subject to fulfillment of the conditions laid down therein.

5. Per contra, learned State counsel submits that the petitioner has not placed sufficient documents on record to substantiate his claim. It is further submitted that the material available on record does not clearly establish whether the petitioner has completed the minimum qualifying period of service prescribed for claiming the benefit of leave encashment.

6. I have heard learned counsel for the parties and perused the material available on record.

7. Be that as it may, without expressing any opinion on the merits of the claim, the instant writ petition is disposed of, with liberty to the petitioner to submit a detailed representation before the concerned respondent/competent authority within a period of 30 days from the date of receipt of a copy of this order, along with all relevant documents in support of his claim.

8. In the event such a representation is submitted, the concerned authority shall examine and verify the petitioner's claim, particularly with regard to his eligibility for leave encashment. If, upon such verification, the petitioner is found to be similarly situated to the petitioners in ***Faguvaram Patel (supra)***, his claim shall be considered and decided in the light of the judgment rendered in the aforesaid case, by a reasoned and speaking order, as expeditiously as possible, preferably within a period of 90 days from the date of submission of the representation.

9. Accordingly, the writ petition stands disposed of with the aforesaid observations and directions.

Sd/-
(Ravindra Kumar Agrawal)
Judge