

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2890 of 2015

- Uma Shanker Yadav S/o Late S. D. Yadav, Aged About 59 years Presently Posted As Driver At State Urban Development Agency, Indrawati Bhavan, New Raipur, District Raipur (Chhattisgarh) R/o F-1-A, 14/104, Sector-27, New Raipur, Post & P.S. Rakhi, Raipur, District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Transport, Mahanadi Bhavan, Village Rakhi, New Raipur, District- Raipur (Chhattisgarh)
2. Secretary, Department Of General Administration, Mahanadi Bhavan, Village-Rakhi, New Raipur, District-Raipur (Chhattisgarh)
3. Secretary, Department Of Urban Administration & Development, Mahanadi Bhavan, Village-Rakhi, New Raipur, District-Raipur (Chhattisgarh)
4. Commissioner, Urban Administration & Development Department, Directorate, Indrawati Bhavan, Village-Rakhi, New Raipur, District-Raipur (Chhattisgarh)
5. Chhattisgarh Infrastructure Development Corporation, Through Its Managing Director, C.I.D.C., Shastri Chowk, Raipur (Chhattisgarh)

---- Respondents

and

WPS No. 2892 of 2015

- Krishna Kumar Pandey S/o Late Shri R. S. Pandey, Aged About 50 years Presently Posted As Grade III At State Urban Development Agency, Indrawati Bhavan, New Raipur, District-Raipur (Chhattisgarh) R/o Kvt-116, Kabir Nagar, P.S.- Kabir Nagar, Raipur, District- Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Transport, Mahanadi Bhavan, Village Rakhi, New Raipur, District- Raipur (Chhattisgarh)
2. Secretary, Department Of General Administration, Mahanadi Bhavan,

Village-Rakhi, New Raipur, District-Raipur (Chhattisgarh)

3. Secretary, Department Of Urban Administration & Development, Mahanadi Bhavan, Village-Rakhi, New Raipur, District-Raipur (Chhattisgarh)
4. Commissioner, Department Of Urban Administration & Development Department, Directorate, Indrawati Bhavan, Village-Rakhi, New Raipur, District-Raipur (Chhattisgarh)
5. Chhattisgarh Infrastructure Development Corporation, Through Its Managing Director, C.I.D.C., Shastri Chowk, Raipur (Chhattisgarh)
6. Municipal Corporation, Birgaon, Through Its Commissioner, Birgaon, District Raipur (Chhattisgarh)

---- Respondent

(Note: The Cause Title has been reproduced as is available in the CIS Software)

For Petitioners	Shri Yogesh Pandey, Advocate
For Respondent/State	Shri P.K. Bhaduri, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

10/08/2015

1. Learned counsel for the petitioners would submit that the petitioners were working in erstwhile M.P.S.R.T.C., however after creation of the State of Chhattisgarh a separate Road Transport Corporation has not been constituted in the State of Chhattisgarh, therefore, their services were placed in the control of respondent/Chhattisgarh Infrastructure Development Corporation (for short 'C.I.D.C.'). He would further submit that the State Government has issued number of circulars deciding to absorb services of the employees working in the erstwhile M.P.S.R.T.C in various Corporation/Mandals in the State of Chhattisgarh and in furtherance of the said policy several employees have already been absorbed.

2. Learned counsel would further submit that for the present, the petitioners would confine their prayer for issuance of direction to the respondents to take a decision on the representations pending before the said authority. He is restricting his prayer in view of the order passed by this Court in the matters of **O.P. Singh Vs. State of Chhattisgarh & others¹**, **Abdul Hakim Vs. State of Chhattisgarh & others²**, **Uttam Kumar Sharma Vs. State of Chhattisgarh & others³**, **Raju Pandey & others Vs. The State of Chhattisgarh & others⁴**, **Nandkumar Vaishnav & others Vs. The State of Chhattisgarh & others⁵** and **Chandrayan Singh Thakur & others Vs. The State of Chhattisgarh & others⁶**.
3. In view of the above, both the writ petitions are disposed of with a direction that in the event petitioners submit fresh representations before the concerned respondent within a period of four weeks, the said authority shall consider and decide petitioners' representations in an objective manner keeping in view the circular issued by the State Government from time to time, as also the orders of absorption passed with respect to the similarly placed employees, as early as possible, preferably within a period of three months from the date of submission of representations.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

1 WP (S) No.5521/2010
2 WP (S) No.473/2013
3 WP (S) No.476/2013
4 WP (S) No.1220/2013
5 WP (S) No.1458/2013
6 WP (S) No.2128/2013

5. With the above observation, the writ petitions are finally disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

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