

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2970 of 2015

- Chand Ram Sahu S/o Firtu Ram Sahu Aged About 52 years Presently Working As Asst. Revenue Inspector, Nagar Panchayat Chandrapur, Tahsil - Dabhra, District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Transport, Mantralaya, New Raipur Chhattisgarh
2. Secretary Department Of General Administration, Mantralaya, New Raipur Chhattisgarh
3. Secretary Department Of Urban Administration & Development, Mantralaya, New Raipur Chhattisgarh
4. Commissioner Department Of Urban Administration & Development, Directorate, Raipur Chhattisgarh
5. Chief Municipal Officer Nagar Panchayat Patthalgaon District Jashpur Chhattisgarh
6. Chief Municipal Officer Nagar Panchayat Chandrapur, District Janjgir Champa Chhattisgarh
7. Managing Director Chhattisgarh Infrastructure Development Corporation, Shastri Chowk, Raipur Chhattisgarh
8. Divisional Manager Chhattisgarh Infrastructure Development Corporation, Divisional Office, Bilaspur Chhattisgarh

---- Respondents

WPS No. 2971 Of 2015

- Lakhan Kishore Shukla S/o Late Ram Pyare Shukla Aged About 60 years Presently Working As Asstt. Grade- I I I, Nagar Palik Nigam- Ambikapur, P. S. Tahsil & Distt. Surguja, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Department Of Transport, Mantralaya, New Raipur, (Chhattisgarh)
2. Secretary, Department Of General Administration, Mantralaya, New Raipur, Chhattisgarh

3. Secretary , Department Of Urban Administration & Development, Mantralaya, New Raipur, Chhattisgarh
4. Commissioner , Department Of Urban Administration & Development, Directorate, Raipur, (Chhattisgarh)
5. Commissioner, Nagar Palik Nigam- Ambikapur, Distt. Surguja, (Chhattisgarh)
6. Managing Director, Chhattisgarh Infrastructure Development Corporation, Shastri Chowk, Raipur, (Chhattisgarh)
7. Divisional Manager, Chhattisgarh Infrastructure Development Corporation, Divisional Office, Bilaspur, (Chhattisgarh)

---- Respondents

WPS No. 2972 Of 2015

- Raghunath Prasad Rai S/o- Shri Kurelal Rai Aged About 56 years Presently Working As Asst. Revenue Inspector, Nagar Panchayat - Sarangarh, P. S., Tahsil- Sarangarh, Distt.- Raigarh, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through- Secretary, Department Of Transport, Mantralaya, New Raipur, Chhattisgarh.
2. Secretary, Department Of General Administration, Mantralaya, New Raipur, Chhattisgarh.
3. Secretary, Department Of Urban Administration & Development, Mantralaya, New Raipur, Chhattisgarh.
4. Commissioner, Department Of Urban Administration & Development, Directorate, Raipur, Chhattisgarh.
5. Chief Municipal Officer, Nagar Panchayat- Adbhar, P. S., Tahsil - Malkharouda, Distt.- Janjgir- Champa, Chhattisgarh.
6. Chief Municipal Officer, Nagar Panchayat - Sarangarh, Distt.- Raigarh, Chhattisgarh.
7. Managing Director, Chhattisgarh Infrastructure Development Corporation, Shastri Chowk, Raipur, Chhattisgarh.
8. Divisional Manager, Chhattisgarh Infrastructure Development Corporation, Divisional Office, Bilaspur, Chhattisgarh.

---- Respondent s

And

WPS No. 2973 Of 2015

- Bisahu Ram Sahu S/o Late Jagat Ram Sahu Aged About 54 years Presently Working As Asst. Revenue Inspector, Nagar Panchayat Adbhar, P. S. Tahsil Malkharouda, District Janjgir Champa Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Department Of Transport, Mantralaya, New Raipur Chhattisgarh
2. Secretary Department Of General Administration, Mantralaya, New Raipur Chhattisgarh
3. Secretary Department Of Urban Administration & Development, Mantralaya, New Raipur Chhattisgarh
4. Commissioner Department Of Urban Administration & Development, Directorate, Raipur Chhattisgarh
5. Chief Municipal Officer Nagar Panchayat Adbhar, P.S. Tahsil - Malkharouda, District Janjgir Champa Chhattisgarh
6. Managing Director Chhattisgarh Infrastructure Development Corporation, Shastri Chowk, Raipur Chhattisgarh
7. Divisional Manager Chhattisgarh Infrastructure Development Corporation, Divisional Officer, Bilaspur Chhattisgarh

---- Respondents

For Petitioners

Mr. Pawan Shrivastava, Advocate

For Respondent/State

Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

14/08/2015

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, the writ petition is disposed of with a

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

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.
5. With the above observation, the writ petition is finally disposed of.

Sd/-

JUDGE

(Prashant Kumar Mishra)