NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3863 of 2015

1. Ram Kumar Kaushik S/o Late Shri Cheddi Lal Kaushik, Aged About 52 Years Presently Working As : Assistant Revenue Inspector, Nagar Panchayat Sakri, District Bilaspur (Chhattisgarh)

2. Mirza Israil Beg S/o Shri Mirza Rehman Beg, Aged About 57 Years Presently Working As : Assistant Revenue Inspector, Nagar Panchayat Champa, District Champa (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration and Development, Chhattisgarh Government, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)

2. Secretary General Administration Department, Chhattisgarh Government, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)

3. Secretary, Transport Department, Chhattisgarh Government, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)

4. Director, Directorate, Urban Administration and Development, Office Of : Head Of Departments, Fourth Floor, D - Block, Indravati Bhawan, New Raipur, District Raipur (Chhattisgarh)

5. Managing Director, Chhattisgarh Infrastructure Development Corporation Limited, Head Office, Shastri Chowk, District Raipur (Chhattisgarh)

6. Nagar Panchayat Sakri Through Its Chief Municipal Officer, Nagar Panchayat Sakri, District Bilaspur (Chhattisgarh)

7. Chief Municipal Officer, Nagar Panchayat Sakri, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioners: Mr. Manish Nigam, Advocate.
For Respondents/State: Mr. Dheeraj Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/10/2015

(1) The petitioners seek direction to the respondent No. 7 to absorb their services in the establishment of Nagar Panchayat, Sakri on the ground that the petitioners being ex-employee of erstwhile M.P. State Road Transport Corporation (for short *'MPSRTC*') and the said Corporation having not been constituted in the State of Chhattisgarh and the petitioners' services having been placed in the control of Chhattisgarh Infrastructure Development Corporation (for short 'CIDC') and thereafter their services have been lended to respondent No. 7 in furtherance of re-deployment of ex-employee of MPSRTC who were working within the territorial jurisdiction of new State of Chhattisgarh, the petitioners' services deserves to be absorbed.

(2) Learned counsel for the petitioners would submit that several similarly placed employees of the erstwhile MPSRTC have been absorbed in different department/organizations, but in the present case even though, the respondent No. 7, Nagar Panchayat, Sakri has already passed a resolution on 13/02/2015 for absorption of the petitioners, yet, formal order is not issued in that respect. He would further submit that in similar writ petition bearing W.P. (S) No. 5521/2010 decided on 21.01.2011 this Court has issued a direction for consideration of absorption of the said petitioners in accordance with the rules of absorption and policy decision of the State, therefore, the respondent No. 4 deserves a direction for consideration of petitioners' case at the earliest.

(3) In view of the order passed by this Court in similar matter W.P. (S) No. 5521/210 the present writ petition is also disposed of with a direction that in the event petitioners prefer fresh representation before the respondent No. 4 within four weeks, the said respondent No. 4 shall take decision with regard to petitioners' absorption at the earliest, preferably within a period of three months' from the date of submission of certified copy of this order.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-