

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.5693 of 2009

1. Pritram Umre, aged 70 years, son of Late Shri Jhumuk Lal Umre, Retired Lecturer, Municipal Corporation School, Durg, Chhattisgarh
2. Kedar Prasad Sharma, aged 70 years, son of Natthu Prasad Sharma, Retired Revenue Sub-Inspector, Municipal Corporation, Durg
3. Bhaiyalal Yadava, aged 69 years, son of Aasharam Yadava, Retired Peon, Municipal Corporation, Durg
4. Mohanlal, aged 68 years, son of Shri Kanhaiyalal Titram, Retired Peon, Municipal Corporation, Durg
5. Bharat Lal Kaushik, aged 70 years, son of Late Jhuluram, Kumharpara, Ward No.10, Patan, District Durg
6. Smt. Shahrin Bai Manikpuri, aged 70 years, wife of Bholadas, Behind Shiv Mandir, Girdharinagar, Ward No.5, Durg
7. Smt. Gajra Bai, aged 65 years, W/o Late Gokul Yadva, Behind Bombay Rice Mill, Millpara, Ward No.38, Durg

---Petitioners

versus

1. Municipal Corporation Durg through the Commissioner, Municipal Corporation, Durg
2. Commissioner-cum-Director, Nagriya Prashashan Avam Vikas Vibhag, C.G. R.D.A. Building, Bajrang Complex, Shastri Chowk, Raipur
3. Commissioner-cum-Director, Nagriya Prashashan Avam Vikas Vibhag, M.P. Nagar Palik Bhawan, Bus Stop No.6, Bhopal

---- Respondents

For Petitioners : Shri B.D. Badgaiyan, Advocate

Hon'ble Shri Navin Sinha, Chief Justice

Order on Board

13/4/2016

1. Heard Learned Counsel for the Petitioners.
2. The claim in the writ petition is to pay difference of revised pension from 1.1.1996 to 31.3.2000. The writ petition itself was filed on 25.9.2009. There is absolutely no whisper of a suggestion with regard to gross delay and laches in filing of the writ petition. On the contrary, the Petitioner claims 12% interest on the arrears.
3. Even if it be related to arrears of pension, the Court in exercise of its discretionary jurisdiction considers the delay of 9 years to be gross for

condoning on the principle that no third party rights are affected. Any orders passed today will naturally have implications for financial planning by the State.

4. The writ petition is dismissed on the grounds of delay and laches.

Sd/-

(Navin Sinha)
CHIEF JUSTICE