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HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 46 of 2016

1. State Of Chhattisgarh Through The Chief Secretary, Public Works Department, Mantralaya, Rakhi, New Raipur, Chhattisgarh.
2. The Engineer-In-Chief, Public Works Department, Government Of Chhattisgarh, Near Raj Bhawan, Raipur, District Raipur, Chhattisgarh.
3. The Superintending Engineer Public Works Department, Raipur, Division Raipur, District Raipur, Chhattisgarh.
4. The Executive Engineer, Public Works Department, Tahsil & Division Raigarh, District Raigarh Chhattisgarh.
5. The Sub Divisional Engineer, Public Works Department, Sarangarh, Tahsil & District Raigarh, Chhattisgarh.

---- Petitioner

Versus

- Lachhi S/o Ratthu Aged About 65 Years R/o Village Post & P.S. Baramkela, Tahsil Baramkela, Civil & Revenue District Raigarh, Chhattisgarh.

---- Respondent

And

REVP No. 47 Of 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Siril Kishpotta S/o Shri Novas Kishpotta Aged About 67 Years R/o Village Aagdih, Post Lokhandi, Thana & Tahsil Jashpur, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 48 Of 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Ramlakhan Ram S/o Shri Ranjit Ram Aged About 65 Years R/o Village Lamdand, Post Pongro, Thana & Tahsil Kansabel, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 49 Of 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Ratiya Ram S/o Shri Kanda Ram Aged About 67 Years R/o Village Tamasingha, Post Banderchuan, Thana & Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 50 Of 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)

3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Rukhnath Ram S/o Shri Sanu Ram Aged About 64 Years R/o Village Narayan Bahli, Post Chetba, Thana & Tahsil Kansabel, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 51 Of 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Sukru Ram S/o Shri Ghura Ram Aged About 67 Years, Village Narayanbahali, Post Chetba, Thana & Tahsil Kansabel, District Jashpur (Chhattisgarh).

---- Respondent

And

REVP No. 52 Of 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Tairas S/o Shri Abraham Aged About 64 Years R/o Village Pakaritoli, Post Bandarchuan, Thana & Tahsil Kansabel, District

Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 53 OF 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Jugal Ram S/o Shri Thirha Ram Aged About 63 Years Village Mahuhatoli, Post Kundora, Thana & Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 54 OF 2016

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Rafail Ekka S/o Shri Alvinus Ekka Aged About 67 Years R/o Village Jhargaon, Post Gholeng, Thana & Tahsil Jashpur, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 55 OF 2016

1. State Of Chhattisgarh Through The Secretary, Public Works

Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)

2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur (Chhattisgarh)

---- Petitioner

Vs

- Dilbandhu S/o Shri Bife Sai Aged About 62 Years R/o Village Kansabel (Mudatoli), Post, Thana & Tahsil Kansabel, District Jashpur, Chhattisgarh.

---- Respondent

And

REVP No. 61 Of 2016

1. State Of Chhattisgarh , Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The Executive Engineer, Public Works Department, National Highway Division, Ambikapur District Surguja, Chhattisgarh
3. The Sub Divisional Officer, Public Works Department, Sub Division Jashpur, District Jashpur, Chhattisgarh(Respondents)

---- Petitioner

Vs

- Rajkishore S/o Shri Pawan Sai, Aged About 67 Years R/o Village Khutitoli, Post Nariyardand, Thana And Tahsil Kansabel, District Jashpur, Chhattisgarh(Petitioner)

---- Respondent

And

REVP No. 62 Of 2016

1. State Of Chhattisgarh , Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Naya Raipur District Raipur, Chhattisgarh
2. The Executive Engineer, Public Works Department, Raigarh, District Raigarh, Chhattisgarh
3. The Joint Director, Treasury, Accounts And Pension, Bilaspur District Bilaspur, Chhattisgarh(Respondents)

---- Petitioner

Vs

- Sammelal S/o Jagbandhu, Aged About 63 Years R/o Gudiyari Tahsil And P.S. Sarangarh, District Raigarh, Chhattisgarh (Petitioner)

---- Respondent

And

REVP No. 63 Of 2016

1. State Of Chhattisgarh , Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Naya Raipur District Raipur, Chhattisgarh
2. The Executive Engineer, Public Works Department, Raigarh, District Raigarh, Chhattisgarh
3. The Joint Director, Treasury, Accounts And Pension, Bilaspur District Bilaspur, Chhattisgarh(Respondents)

---- Petitioner

Vs

- Bauta Ram S/o Manjhi Ram, Aged About 63 Years R/o Balakpodi, P.S. Kapu, Tahsil Dharamjaigarh, District Raigarh, Chhattisgarh(Petitioner)

---- Respondent

For Petitioners/State	Mr. Y.S. Thakur, Dy. A.G. and Mr. P.K. Bhaduri, Government Advocate
For Respondents	Mr. Rakesh Anthony

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/4/2016

1. Heard on IA No.01 (in all the review petitions), applications for condonation of delay in filing the review petitions.

2. For the reasons mention in the applications, the same are allowed and the delay is condoned.
3. With the consent of learned counsel for the parties, the petitions are heard finally.
4. These review petitions are directed against the similar order passed in different writ petitions, whereby, this Court followed the order passed by the Division Bench on 26.02.2015 in W.A. No.281 of 2013 and directed the respondents to take the petitioners' temporary service into account to reckon pensionable service in view of the State Government's instructions dated 02.03.2005.
5. Later on, the State Government preferred Review Petition No.61 of 2015 before the Division Bench, which too was dismissed by the Division Bench on merits.
6. In view of the above, it is not open for this Court to exercise review jurisdiction , because, the order passed in different writ petitions has merged in the order passed by the Division Bench in Writ Appeal and the Review Petition.
7. At this stage, learned counsel for the State would submit that the State has preferred SLPs before the Supreme Court bearing Diary Nos.6686 of 2016 (State of Chhattisgarh Vs. Biharilal Jaiswal and others) and 5722 of 2016 (State of Chhattisgarh Vs. Sukhru and others) , therefore, the State may be granted reasonable time of about 06 months for deciding the representations preferred by the respondents to decide the issue of calculation of pensionable

services of the respondents.

8. On due consideration, the present batch of Review Petitions are disposed of with observation that the State Government may decide the issue concerning the respondents' eligibility for pension by counting their temporary services within a period of 04 months from today.

Sd/-

Judge

(Prashant Kumar Mishra)

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