

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6368 of 2016**

1. Kamla Choudhary W/o Shri Ram Kumar Choudhary, Aged About 61 Years R/o Qr. No. B-8, Borsi Colony, Durg, District Durg (Chhattisgarh)
2. Om Prakash Verma S/o Shri Laxman Prasad Verma, Aged About 60 Years R/o H IG-1/158, Borsi Colony, Durg, District Durg (Chhattisgarh).
3. Ram Kumar Choudhary S/o Late Shri R. R. Choudhary, Aged About 60 Years R/o Qr. No. B-8, Borsi Colony, Durg, District Durg (Chhattisgarh).

---- Petitioners**Versus**

1. Union of India Through Ministry of Rural Development, Department of Rural Development, Baba Kharag Singh Marg, New Delhi.
2. State of Chhattisgarh, Through Principal Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, New Capital Complex, New Raipur, District Raipur (Chhattisgarh).
3. State of Chhattisgarh, Through Principal Secretary, Department of Finance, Mahanadi Bhawan, New Capital Complex, New Raipur, District Raipur (Chhattisgarh).
4. Zila Panchayat Durg, Through Chief Executive Officer, Zila Panchayat Durg (Chhattisgarh).

---- Respondents

For Petitioners	Shri Sudip Agrawal, Advocate.
For Respondent No.1/UOI	Shri Bhupendra Singh, Advocate.
For Respondent/State	Shri SP Kale, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23/11/2016**

1. The petitioners were appointed in the department of the District Rural Development Agency (DRDA) and they are discharging their duties in the office of Zila Panchayat, Durg, Chhattisgarh.
2. Learned counsel appearing for the petitioners submits that the petitioners have put in more than three decades of service but till now their services have not been absorbed/regularized in the Zila Panchayat, Durg to which

the District Rural Development Agency has already been merged.

3. Learned counsel appearing for the petitioners submits that in other similar agencies under the State Government and which later were merged to the different department of the State Government, the services of similarly placed persons have already been absorbed and are discharging their duties as a regular government employees, but for the present petitioners and the department of DRDA.
4. It is further submitted that all the petitioners are at the fag end of their service career and therefore, a prompt decision is required to be taken by the respondents on the grievances raised by the petitioners taking into consideration the guidelines that have been framed by the Ministry of Rural Development, Govt. of India dated 01.04.1999 which was further revised in the year, 2008. He further submits that pursuant to the above guidelines framed by the Govt. of India, the State of Chhattisgarh has also framed a guidelines on 15.12.2006 (Annexure P/7) accepting the guidelines framed by the Govt. of India.
5. The petitioners are aggrieved by the inaction on the part of the respondents in not taking decision in accordance with the guidelines and circulars framed by the Govt. of India which has subsequently been accepted by the State of Chhattisgarh on 15.12.2006.
6. At this juncture, the State counsel very fairly submits that a suitable direction may be issued to the respondent No.2 to take a prompt decision on the representation of the petitioners in accordance with circular governing the field, which is not opposed by the other counsels.
7. Accordingly, the present writ petition is disposed of with a limited direction that the respondent No.2 shall personally look into the matter and take a

prompt decision in respect of the grievance which have been raised by the petitioners in this petition. In addition to the representation that the petitioners have already made jointly on 22.05.2014 (Annexure P/11), they would also be at liberty to file fresh representation bringing the entire facts governing the field.

8. It is expected that the respondent No.2 shall objectively consider the representation and take a prompt and positive decision within a period of 90 days from the date of issuance of certified copy of this order.
9. It is made clear that this court has not expressed any opinion on the merits of the case so far as the entitlement of the petitioners are concerned. No order as to costs.

SD/-
(P. Sam Koshy)
Judge