

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3064 of 2016

Smt. Mangtin Yadav Wd/o Shri Asharam Yadav, Aged about 58 years, R/o Azad Chowk, Behind Petrol Pump, Bhilai – 3, Post BMY Charoda, Ward No.12, District -Durg (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. The Director, Department Of Urban Administration And Development, Indrawati Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
3. Municipal Corporation, Bhilai – Charoda, (Earlier Municipal Council now Municipal Corporation) Through : The Commissioner, Municipal Corporation- Bhilai-Charoda, District Durg (Chhattisgarh)

---- Respondents

Shri Tarkeshwar Nande, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State.
Shir Akhilesh Kumar, counsel for the Municipal Corporation.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/07/2016

Heard.

1. Learned counsel for the petitioner submits that petitioner's claim that regular services rendered by the husband of the petitioner as regular employee of erstwhile Special Area Development Authority (for short "SADA") Bhilai, where he was initially appointed, are liable to be counted for the purposes of pensionable services. He submits that identical issue has been decided by this Court vide order dated 08.02.2016 in batch of petitions WP(S) No.4459 of 2014 and other cases.
2. Learned counsel for the respondents do not dispute that the petitioner's

claim of being identically placed as the petitioner, in whose favour, orders were passed in the case referred to above. He, however, submits that benefit will accrue to the petitioner subject to verification of relevant facts regarding petitioner's entitlement as nominee of deceased employee.

3. In view of the above, this petition is also liable to be allowed and is allowed. Let the same benefit accrue to the petitioner as directed by this Court vide order dated 08.02.2016 in similar petition, subject to verification as stated above.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E