

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3251 of 2017

Bantloo Ram Bhagat S/o Shri Grahan Ram, Aged About 47 Years Presently Posted As Company Commander, 6th Vahini, Raigarh, District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan Mantralaya, Naya Raipur, District - Raipur Chhattisgarh.
2. Director General Of Police Police Head Quarter, Naya Raipur, District Raipur Chhattisgarh.
3. Commandant 6th Vahini, C. G. State Security Force, Raigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Shri CJK Rao, Advocate
For State	:	Shri Manish Nigam, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/08/2017

Heard.

1. The only grievance ventilated through this writ petition is that while setting aside order of dismissal from service and reinstatement thereupon, no decision was taken with regard to the period during which the petitioner remained out of employment. The order of reinstatement was passed on 23.3.2013 and even after four years, no decision has been taken.
2. According to learned counsel for the petitioner in an identical situation, Division Bench of this Court in the case of **Tukaram Vs. State of Chhattisgarh** (WPC No.1703 of 2015 and batch of petitions) decided on 16.5.2017, has held that the entire period has to be treated to be a period

in service with all benefits.

3. Having considered the submission made by learned counsel for the petitioner, at this stage, the petition needs to be disposed off with a direction to respondents to take necessary decision with regard to period during which the petitioner remained out of employment keeping in view the law laid down by this Court in the case of **Tukaram** (supra). The decision should necessarily be taken within a period of 90 days.
4. The petition is accordingly finally disposed off.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Praveen