

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6433 of 2016**

- Dinesh Kumar Sharma S/o Late Mulchand Sharma, Aged About 59 Years Working As Assistant Grade III, Nagar, Palika Ratanpur, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Rural And Urban Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Chief Municipal Officer, Nagar, Palika Municipal Ratanpur, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner
For State

Mr. C.J. K. Rao, Advocate
Mr. Lav Sharma, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****05.01.2017**

1. On the previous day of hearing learned State Counsel on 02.12.2016 was directed to seek instruction and file reply if possible in respect of the claim of the Petitioner within four weeks, and today again the State Counsel prays for time to file reply.
2. Taking into consideration the limited prayer made by the Petitioner in this Writ Petition wherein the Respondent No.2 has not given the benefit of time bound promotion (benefit of Kramonatti) to the Petitioner, this Court is not inclined to further grant time to the State Government and proposes to dispose off the Writ Petition.

3. The prayer of the Petitioner is that he has been working with Respondent No.2 since 1981 and is continuously serving with the Respondent from the date he was appointed as Assistant Grade III and is still performing his duties as Assistant Grade III with the Respondent No. 2. According to the Petitioner inspite of the Petitioner worked for more than 30 years under Respondent No.2 he has not got the benefit of promotion nor has been awarded benefit of Kramonanti Wetanman.
4. At this juncture learned Counsel for the Petitioner refers to Annexure P/3 wherein he submits that two persons referred to in the said order namely Vijay Bisen and Kanhaiya Nirmalkar who are junior to the Petitioner but Respondent No.2 have granted the benefit of Kramonatti Wetanman to those persons, but for the reasons best known to Respondent No.2 the Petitioner has not got the said advantage till date.
5. Shri C.J.K. Rao at this juncture submits that the present Writ Petition may be disposed off with a direction to Respondent No.2 to consider the case of the Petitioner for grant of Kramonatti Wetanman taking into consideration that he is going to retire after a short span of time. In case if he is able to get the benefit his pensionary benefits would be substantially increased.
6. Taking into consideration the peculiar facts of the case and also the contention of the Petitioner that similarly placed persons who are juniors to the Petitioner have been provided the said benefits, in the opinion of this Court ends of justice would meet if the present Petition is also disposed off with a direction to Respondent No.2 to

consider the case of the petitioner also in respect of his entitlement for Kramonatti Wetanman. In case if he is entitled for the same he shall be provided the benefits at the earliest. It is also made clear that after considering the case of the Petitioner if Respondent No.2 finds that he is not entitled for the benefit of Kramonatti Wetanman then it is also expected that Respondent No.2 shall pass a speaking order informing the Petitioner as to why he is not entitled for the claim at par with the case of Vijay Bisen and Kanhaiya Nirmalkar. It is expected that the Petitioner shall bring to the notice of Respondent No.2 the order of this Court along with copy of representation, in case he has not made till now, he is entitled to file detail representation afresh to Respondent No.2.

7. It is expected that Respondent No.2 shall consider and decide the said claim of the Petitioner within a period of 4 months from the date of presentation of the copy of order, of this Court to the Respondent No.2.
8. With the aforesaid observation the present Writ Petition stands disposed off.

**Sd/-
(P. Sam Koshy)
JUDGE**