

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6643 of 2017

Smt. Rambati W/o Late Shri Samaru Sidar, Aged About 59 Years Resident Of Village Mendra, Post Hirri, Tahsil And Police Station Baramkela, District Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Rural Industries Mantralay, (Resham Department) Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The Directorate Of Rural Industries, (Resham Department), Chhattisgarh, Indrawati Bhawan, Block 1, 4th Floor, District Raipur, Chhattisgarh.
3. Deputy Director, (Resham), District Raigarh, Chhattisgarh.
4. Joint Director (Resham), District Raigarh, Chhattisgarh.
5. Joint Director, Treasury, Account And Pension, Raigarh, District Raigarh, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Rakesh Anthony, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2017

Heard.

1. Learned counsel for the parties would submit that the matter in issue is covered by the common order dated 26.2.2015 passed by the Division Bench of this Court in WA No.281 of 2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh and others) and other connected writ appeals. Against the said order, the State travelled up to the Supreme Court by filing SLP (C)Nos.11541-11550/2016, which have been dismissed by the Supreme Court, affirming the order passed by the Division Bench of this Court. They would pray that this writ petition may also be allowed in the same terms.
2. Learned State counsel would submit that though there is no quarrel with the settled legal position, however, before extending the benefit to the petitioner,

it would require verification of facts, particularly, regarding the status of the deceased employee as to whether he was in contingency establishment. Subject to verification of the said fact, the benefit would be extended to the petitioner on similar lines as ordered in the case of Lakhanram Sahu (supra).

3. In view of the above, this petition is also disposed off with direction to respondents to examine petitioner's entitlement in the light of aforesaid decision in the case of Lakhanram Sahu (supra) and upon verification of facts, if it is found that the petitioner's husband is entitled to similar relief as ordered in the case of Lakhanram Sahu (supra), the same benefit shall be extended to the petitioner as early as considering that the petitioner's husband has already died, the exercise should be completed within a maximum period of 90 days from the date of receipt of copy of this order.

Sd/-

(Manindra Mohan Shrivastava)
Judge