NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 181 of 2011

S.L. Maravi, S/o. Shri Sunder Lal Maravi, Aged about 60 years, R/o. Police Line, Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Home Department, D.K.S. Bhawan, Raipur, District Raipur, Chhattisgarh.
2. State of Chhattisgarh Through Secretary, Finance Department, D.K.S. Bhawan, Raipur, District Raipur, Chhattisgarh.
3. The Director General of Police, Police Head Quarter, Raipur, District Raipur Chhattisgarh
4. The Deputy Inspector General of Police (Administration), Police Head Quarter, Raipur, District Raipur Chhattisgarh
5. The Superintendent of Police, Raigarh, District Raigarh, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Anupam Dan, Advocate under instructions of Mr. Ashish Surana, Advocate
For State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/03/2018

1. Prayer of the petitioner is that a direction be issued to the respondents to consider the services rendered by the petitioner with the Sale Tax Department between 1974 to 1978 be treated for counting as length of service for the purpose of grant of pension and retiral dues.

2. The facts of the case is that the petitioner was initially appointed in the Sale Tax Department as a Lower Division Clerk in the year 1974. He remained in the said post till 1978, when he had applied for appointment to the post of Sub-Inspector in the police department of State Government pursuant to the advertisement,

which was issued by the police department. The petitioner had applied for the said post and had got his application forwarded through Assistant Sales Tax Officer, Bastar, Jagdalpur. Subsequently, he stood appointed on the said post of Sub-Inspector and retired from service on 31.09.2009. After more than two years from the date of retirement, the present writ petition has been filed seeking a direction that the respondents may count the services rendered by the petitioner in the Sales Tax Department also for the purpose of counting length of service to determine the pension and retiral dues.

3. Perusal of the record would show that the two employments which the petitioner had taken were under entirely different department and that subsequent appointment in the police department was an altogether fresh recruitment process which he had undertaken and that there was no occasion for the petitioner to have got his application routed through the office of his earlier employer i.e the Sales Tax Department. If the petitioner for some reason has got his application forwarded, that by itself would not be a strong ground for considering his claim for counting his services for the purpose of pensionary and retiral dues.

4. Another aspect which cannot be lost sight of is the fact that the petitioner all along was in service in the police department i.e. from 1978 till 2009 i.e. for about more than 30 years, the petitioner did not raise the grievance in respect of counting his past service. Thus the petitioner now after more than 2 years from his retirement is

estopled from raising such a dispute for counting his past service rendered in the Sales Tax Department.

5. Given the facts and circumstances of the case, this Court does not find any strong case made out by the petitioner for issuance of an appropriate writ in his favour.

6. The writ petition being devoid of merit deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved