

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4848 of 2010**

Shiv Narayan Shukla, S/o. Shri Nand Kishore Shukla, Aged about 58 years, R/o. C-412, VIP Chowk Sunder Nagar, Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh, through: Secretary, Home (Transport) Department, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh.
2. Chhattisgarh Infrastructure Development Corporation, through it's Managing Director, CIDC, Ghari Chowk, Raipur, Chhattisgarh
3. Divisional Manager, Chhattisgarh Infrastructure Development Corporation, Amanaka, Raipur, Chhattisgarh
4. Rajiv Gandhi Rajya Vikas Sansthan/C.G. Rajya Gramin Vikas Sansthan, through it's Director, Nimora, Raipur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Bhuvneshwar Singh Rajput, Advocate
For State	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/08/2018**

1. The petitioner in the present writ petition has questioned the legality of the notification dated 13.12.2002, wherein the service conditions of the employees working with the Chhattisgarh Infrastructure Development Corporation was ordered to remain the same as it was in the erstwhile M.P.S.R.T.C. and accordingly the petitioner was ordered to be retired at the age of 58.
2. The respondents have come up with a reply and a document Annexure R/1 has been filed dated 26.05.2011, whereby they have issued an order enhancing the age of superannuation from 58 to 60 so far as class-III employees are concerned and from 60 to 62 so far as the class-IV employees are concerned.

3. In the said order it was also reflected that the said order would be prospective in nature, which would be effective from 26.05.2011 onwards.
4. Since the petitioner had attained the age of 58 much before coming into force of this order, the petitioner could not have got the advantage of the enhanced age of superannuation of 60 and that it was not just the petitioner, but all other employees, who had attained the age of 58 prior to 25.06.2011 have been superannuated at the age of 58.
5. This Court thus does not find any strong case for interference with the impugned notification and the same accordingly stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved