

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7429 of 2009**

1. P. K. Panchaity S/o late U. K. Panchaity, aged about 48 years, occupation service, presently posted as Asstt. Engineer (Incharge Executive Engineer)
2. Eugene Tirkey S/o late Poulus Tirkey, aged about 49 years, occupation service, presently posted as Asstt. Engineer
3. R. S. Chouhan S/o late S. L. Chouhan aged about 48 years, occupation service, presently posted as Sub-Engineer
4. Suresh Kumar Sharma S/o late D. S. Sharma, aged about 46 years, occupation service, presently posted as Sub-Engineer
5. Sandeep Shrivastava S/o Shri L. K. Shrivastava, aged about 47 years, occupation service, presently posted as Sub-Engineer
6. Suryakant Manik S/o Shri R. P. Manik, aged about 47 years, occupation service, presently posted as Sub-Engineer
7. Suresh Barua S/o Shri S. N. Barua, aged about 44 years, occupation service, presently posted as Sub-Engineer
8. Aseem Agrawal S/o Shri J. L. Agrawal, aged about 44 years, occupation service, presently posted as Sub-Engineer
9. Uday Keshav Vaidya S/o late K. M. Vaidya, aged about 45 years, occupation service, presently posted as Sub-Engineer
10. Kumar Lahare S/o Shri Bhukhu Lahare, aged about 49 years, occupation service, presently posted as Sub-Engineer

Petitioners 1 to 10 all are working in the Municipal Corporation, Bilaspur, District Bilaspur (Chhattisgarh)

---- Petitioners**Versus**

1. State of Chhattisgarh through the Secretary, Department of Urban Administration & Development, Mantralaya, Dau Kalyan Singh Bhawan, Raipur (CG)
2. Municipal Corporation Bilaspur through its Commissioner, Bilaspur (CG)
3. Commissioner, Municipal Corporation Bilaspur, District Bilaspur, CG

---- Respondents

For Petitioners	:	Shri Ashish Shrivastava, Advocate
For Respondent/State	:	Shri Ashutosh Pandey, Panel Lawyer
For Respondents 1 & 2	:	Ms. Pushpa Dwivedi on behalf of Shri A. S. Kachhwaha, Advocate
For Intervener	:	Shri Neeraj Choubey and Ms. Deepali Pandey, Advocates

Hon'ble Shri Justice P. Sam Koshy

Order On Board

13/07/2018

On 29.06.2018, this Court had issued instruction to the Commissioner, Municipal Corporation, Bilaspur to ascertain as to what steps have been taken pursuant to the circular of the State Government dated 26.08.2015 wherein it was decided by the State Government to provide seniority to the petitioners and other similarly placed persons who were earlier appointed under Bilaspur Development Authority which was subsequently merged with the Municipal Corporation, Bilaspur from the date of their regularization of service with Bilaspur Development Authority.

2. Today, counsel appearing for the Municipal Corporation, Bilaspur submits that pursuant to the order of the State Govt. dated 26.08.2015, the respondent Municipal Corporation, Bilaspur have already taken a decision to implement the same and grant appropriate seniority to the petitioner from the date their services were regularized under Bilaspur Development

Authority. Counsel for the respondents also produced before this Court the seniority list/gradation list as on 20.12.2016 whereby they have shown the benefit to have been extended to the petitioners from the date of regularization of their services with Bilaspur Development Authority.

3. In view of the said implementation of circular dated 26.08.2015 and which was further reiterated on 06.01.2016 and the respondent Corporation also taking steps for grant of seniority to the petitioners, the substantial relief sought for by the petitioners in this Writ Petition stands redressed. As a consequence, the respondents are now required to consider the case of the petitioners for promotion at par with people junior to the petitioners who in the revised gradation list must have been promoted earlier.

4. This Court does not intend to keep the petition pending any further. Accordingly, the writ petition stands disposed of with a direction that in case the petitioners are still aggrieved of any subsequent development or any subsequent implementation by the respondents, they would be at liberty to assail the same by way of a fresh petition altogether.

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