

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4571 of 2009**

Dwarika Prasad Sahu, S/o. Shri Ramlal Sahu, Aged about 57 years, Presently posted under Deputation to the Office of Chief Municipal Officer, Nagar Panchayat, Sheorinarayan, District Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh, through: Secretary, Transport Department, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh
2. The Secretary, Nagariya Nikaya Department, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh
3. The Managing Director, Chhattisgarh Infrastructure Development Corporation (CIDC), G.E. Road, Near Mantralaya, Raipur, Chhattisgarh
4. The Divisional Manager, Chhattisgarh Infrastructure Development Corporation (CIDC), Transport Division, Divisional Office, Bilaspur, Chhattisgarh

----Respondents

For Petitioner	:	None
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer
For Respondent No.4	:	Mr. Alok Bakshi, Advocate

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

1. The relief sought for by the petitioner in the present writ petition is for grant of relief of absorption in the office of the Chief Municipal Officer, Nagar Panchayat, Sheorinarayan, District Janjgir-Champa, Chhattisgarh. The further relief was also for quashment of the retirement notice, whereby the petitioner was intimated of his attaining the age of superannuation on 31.10.2009.
2. At this juncture, this Court is of the opinion that by efflux of time since the petitioner has crossed his age of superannuation, the relief of absorption now cannot be granted, and so far as his retirement is concerned in the department i.e. Chhattisgarh Infrastructure

Development Corporation, under which the petitioner was serving substantively in the year 2009, the age of retirement was 58 and the age of retirement in the respondent No.3-Corporation was enhanced from 58 to 60 only on 26.05.2011 that means the petitioner had attained the age of 58 much before that and therefore the said relief cannot be granted to the petitioner.

3. In view of the same, nothing further is left to be adjudicated in the writ petition and the same stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved