

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WRIT PETITION (S) NO. 2883 OF 2018**

- Smt. Jana Thakur, Wd/o Late Bhukhou Ram, aged about 61 years, R/o Village Dundiya, Beechpara, Ward No.7, Post Office Arjunda, Tahsil Gundardehi, District Balod (C.G.)

**... Petitioner**

**versus**

1. State of Chhattisgarh, through : the Secretary, Public Works Department, Mantralay, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)
2. Executive Engineer, Public Works Department (Bha/Sa) Balod Division Balod, District Balod (C.G.)
3. Sub- Divisional Officer, Public Works Department (Bha/Sa), Sub Division Gunderdehi, District Balod (C.G.)
4. Joint Director, Treasury, Pension and Accounts Department, Durg, District Durg (C.G.)

**... Respondents**

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| For Petitioner  | : | Mr. Amit Kumar Sahu, Advocate.     |
| For Respondents | : | Mr. Ashutosh Pandey, Panel Lawyer. |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**09/04/2018**

1. Learned Counsels appearing for the respective parties jointly and fairly submit that the matter in issue is covered by the common order dated 26.02.2015 passed by the Division Bench of this Court in W.A. 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 Hon'ble Supreme Court, affirming the order passed by the Division Bench of this Court. They pray that the present writ petition may also be allowed on the same terms.

2. In view of the above joint statement made, the present writ petition is also allowed in terms of the common order dated 26.02.2015 passed by the Division Bench of this Court in W.A. No. 281/2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh and others) and other connected writ appeals.

3. Accordingly, let the department proceed the case of the Petitioner and consider the service record of the husband of the Petitioner and take a decision so far as the granting of pension and pensionary benefits to the husband of the Petitioner, who has since expired and therefore the pensionary benefits would fall upon the present Petitioner. Let this exercise be done within a period of four weeks from the date of receipt and/or presentation of the copy of this order. Let the other formalities be completed as has been decided in the case of other similarly placed persons, arising out of the judgment passed by the Division Bench of this Court.
4. A copy of the order dated 26.02.2015 passed in W.A. No. 281 of 2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh and others) and other connected writ appeals, be made a part of this record.
5. The writ petition stands allowed and disposed of accordingly.

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