

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3648 of 2018

Kamala Bai Yadav W/o Shri Sukalu Yadav, aged about 62 years, Caste – Yadav, R/o Behind of Sharada Mandir, Kasturba Nagar, Bilaspur, Tahsil Bilaspur, Civil & Revenue District Bilaspur (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, Through – the Secretary Department of Urban Administration & Development, Mahanadi Bhawan, New Raipur (C.G.).
2. The Director, Directorate, Department of Urban Administration & Development, Indrawati Bhawan, New Raipur (C.G.).
3. The Commissioner, Municipal Corporation Bilaspur, Civil & Revenue District, Bilaspur (C.G.).

---Respondents

WPS No. 3534 of 2018

1. Gauri Bai Yadav W/o Shri Sukh Ram Yadav, Aged About 62 Years, Caste Yadav, R/o Near Devakinandan Hospital, Bilaspur, Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
2. Ram Hari Sahu S/o Shri Jhadi Ram Sahu, Aged About 62 Years, Caste-Sahu, R/o House No. 89, Irani Chauk Chantidih, Tahsil Bilaspur, Civil And Revenue District Bilaspur (Chhattisgarh).
3. Bhagirathi Sahu S/o Shri Jagat Ram Sahu, Aged About 63 Years, Caste Sahu, R/o Sambalpuri, Sakari, Bilaspur, Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
4. Smt. Parvati Chaudhari W/o Shri Jagannath Chaudhari, Aged About 64 Years, R/o Ward No. 15, Dabaripara, Tarbahar, Bilaspur, Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
5. Ram Bai Gond W/o Shri Sansay, Aged About 64 Years, Caste Gond, R/o Near The Pond, Deepupara, Bilaspur, Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
6. Parvat Bai Gond W/o Shri Mant Ram, Aged About 64 Years, Caste Gond, R/o Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
7. Bitthul Ram Sahu S/o Shri Jhadi Ram Sahu, Aged About 62 Years, Caste Sahu, R/o House No. 93, Irani Chauk Chantidih, Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.

8. Raghuveer Yadav S/o Shri Sonu Yadav, Aged About 62 Years, R/o House No. 43, Near The Shanichar Mandir, Chantidih Bilaspur, Tahsil Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.

---Petitioners

Versus

1. State of Chhattisgarh, Through – the Secretary Department of Urban Administration & Development, Mahanadi Bhawan, New Raipur (C.G.).
2. The Director, Directorate, Department of Urban Administration & Development, Indrawati Bhawan, New Raipur (C.G.).
3. The Commissioner, Municipal Corporation Bilaspur, Civil & Revenue District, Bilaspur (C.G.).

---Respondents

For petitioners	:	Shri Vishwanath Shriwas on behalf of Shri Parasmani Shriwas, Advocate.
For State	:	Shri Shashank Thakur, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/05/2018

1. The only grievance of the petitioners in the present two Writ Petitions seems to be that of they will be provided the benefit of pension as per the policy of the State Government in this regard.
2. The State counsel submits that, the Finance Department has already issued instructions in this regard in order No. 08/2018 dated 28/02/2018 whereby it has been clearly mentioned that, the Daily Wage Employees who were regularized subsequent to 01/11/2004 would be entitled for pension under the Pension Rules of 1979 and also by counting their past services rendered as a Daily Wage Employee prior to their regularization.
3. Given the said submission made by the State Counsel this Court is of the opinion that no fruitful purpose would be served in keeping the Writ

Petitions pending, rather ends of justice would meet if both the Writ Petitions are disposed off with a direction to the respondent No.2 to scrutinize the case of the petitioners and in case if the respondent No.2 finds that the petitioners are also entitled for pension as per the guidelines of the Finance Department order No. 08/2018 dated 28/02/2018, then appropriate relief be granted to the petitioners forthwith.

4. It is expected that the respondent No.2 shall take a decision in the case of the petitioners within a period of 90 days from today.
5. Both the Writ Petitions accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit