

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CONT No. 420 of 2018**

Smt. Guddo Bai W/o Ramu Raksel, Aged About 67 Years R/o Behind  
Video World, Mahdapara, Raipur, Distt. Raipur, Chhattisgarh., District :  
Raipur, Chhattisgarh **---- Petitioner**

**Versus**

1. Shri Rajat Bansal Commissioner, Municipal Corporation, Raipur, District  
Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Shri Arun Sahu, Commissioner, Zone No. 3, Municipal Corporation  
Raipur, Distt. Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**---- Respondents**

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For Petitioner : Mr. Uttam Pandey, Advocate

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**S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**26/04/2018**

Heard.

1. This contempt petition has been filed by the petitioner alleging willful disobedience of order dated 27.11.2017 passed by this Court in WPS No.4217 of 2017.

2. Learned counsel for the petitioner would submit that the period of services rendered in the capacity as temporary employee even prior to regularization was required to be counted for the purposes of pension under the Rules of 1979. But while rejecting petitioner's representation, the respondent has not examined the petitioner's claim on the basis of the said observation made by the Court.

3. In para 3 of order dated 27.11.2017 passed in WPS No.4217 of 2017, this Court observed :

“In that case, it has been very categorically held that the period of service rendered in the capacity as a temporary employee even prior to regularization is liable to be counted for the purposes of pension under the Rules of 1979.”

4. This Court finds that the respondent while deciding petitioner's representation has not applied its mind to the said observation made by this Court. The respondent was obliged to give due consideration to the said observation. He was required to find out the date on which the petitioner had attained temporary status and from that date till date of retirement the entire period ought to be counted for the purposes of pension.

5. In these circumstances, before initiating a contempt proceedings, this Court is inclined to give opportunity to respondent No.2 to again examine the case of the petitioner strictly in accordance with the direction of this Court. Respondent No.2, upon receipt of this order which is now being passed, shall reexamine petitioner's case and pass fresh orders within a period of 3 weeks from the date of receipt of copy of this order. This petition, at this stage, is disposed off, however, with liberty to revive in case this Court finds that despite repeated directions deliberate contempt has been made to flout the order of this Court.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge