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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.3603 of 2017**

Pawan Kumar Tiwari S/o Late Shri Sarju Prasad Tiwari, Aged About 60 Years R/o Village Suma, Post Office Terenga, Police Station And Tahsil Bhatapara, District Balodabazar, Chhattisgarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Home Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh, Chhattisgarh
2. Director General, Home Guard, Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Inspector General, Home Guard Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
4. Divisional Commandant, Home Guard, Collectorate Premises, Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
5. District Commandant, Home Guard, District Office Balodabazar, Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondents**WPS No. 277 of 2018**

Kaval Kishor Sahu S/o Late Shri Nathu Ram Sahu Aged About 60 Years Retired On The Post Of Nayak Batch No. 146 . R/o 107, Pujari Gali Ward No. 11 Budhvari Para Police Station And Tahsil Dongargarh, District Rajnandgaon Chhattisgarh. , Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Home Department Mantralaya Mahanadi Bhawan Naya Raipur Chhattisgarh. , Chhattisgarh
2. Director General , Home Guard , Raipur , District Raipur Chhattisgarh , District : Raipur, Chhattisgarh

3. Inspector General Home Guard Raipur District Raipur Chhattisgarh , District : Raipur, Chhattisgarh
4. Divisional Commandant, Home Guard Raipur District Raipur Chhattisgarh.
5. District Commandant , Home Guard , District Office Rajnandgaon Chhattisgarh.

---- Respondents

WPS No. 662 of 2018

Roopnarayan Tiwari S/o Late Shri Ramadhin Tiwari Aged About 60 Years Retired On The Post Of Hawaldar , Batch No. 14 , R/o Village Biranpur Khurd Police Station Gandai And Tahsil Chuikhadan District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Home Department Mantralaya Mahanadi Bhawan Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh.
2. Director General Home Guard Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Inspector General Home Guard Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Divisional Commandant Home Guard Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. District Commandant Home Guard , District Office Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondents

WPS No. 6608 of 2017

Mangal Ram Jaiswal S/o S/o Late Shri Jhadu Ram Jaiswal, Aged About 60 Years Retired On The Post Of Lans Nayak, Batch No. 19, R/o Village Pathariya, Police Station And Tahsil Pathariya, District Mungeli, Chhattisgarh., Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Home Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh., Chhattisgarh
2. Director General, Home Guard, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Inspector General, Home Guard, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Divisional Commandant, Home Guard, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. District Commandant, Home Guard, District Office Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---Respondents

For Petitioner : Mr. Varunendra Mishra, Advocate.
 For State : Mr. Sangharsh Pandey, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

25/01/2018

(1) Learned counsel appearing for the petitioners would submit that the petitioners were working as Home Guards with the respondent-department and though they are entitled to be retired at the age of 62 years as per the circular dated 26.8.2013 of the State Government itself, but the respondent-department has retired them at the age of 60 years, against which these writ petitions have been filed by the respective petitioners.

(2) Learned counsel appearing for the State would submit that the petitioners had joined the services as Home Guards and they are not government servants and therefore they cannot be allowed to serve till the age of 62 years as per Annexure R-1 attached to the writ petitions, which is the guidelines regarding Recruitment and

Promotion of the Home Guards.

(3) Be that as it may, the petitioners are at liberty to make a representation before respondent No.2 for redressal of their grievances. If such representations are filed by the petitioners before the respondent No.2, in that event the respondent authorities shall consider and decide the representations of the petitioners strictly in accordance with law expeditiously within a period of three months from the date of filing of such representation.

(4) With the aforesaid observation, the writ petitions stand finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

L/-