

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 4914 of 2018**

1. Chhabilal Lonia S/o Shri Baldeo Prasad, Aged About 62 Years, Retired Employee, Municipal Corporation, Bilaspur, R/o Village Parsada, Post Bharni, P. S. Chakarbhata, Tahsil and District Bilaspur, Civil and Revenue District Bilaspur, Chhattisgarh
2. Smt. Meera Tiwari W/o Late Ramesh Tiwari, Aged About 45 Years, R/o Village Jabadapara, Purana Sarkanda, P. S. Sarkanda, Tahsil and District Bilaspur, Chhattisgarh
3. Baijnath Chauhan S/o Shri Punwansi Chauhan, Aged About 55 Years, Husband of Archana Sahu, New Sarkanda, Bilaspur, P. S. Civil Line, Tahsil and District Bilaspur, Chhattisgarh
4. Sudharam S/o Shri Itwari Lal, Aged About 62 Years, Retired Employee, Municipal Corporation, Bilaspur, R/o Village Shambalpur, P. S. Sakari, Tahsil and District Bilaspur, Chhattisgarh
5. Ramcharan Kaushik S/o Shri Puranlal, Aged About 62 Years, 1 Retired Employee i, Municipal Corporation, Bilaspur, Tahsil and District Bilaspur, Chhattisgarh
6. Kaleshwar Chauhan S/o Shri Kunjram Chauhan, Aged About 63 Years, Retired Peon, Municipal Corporation, Bilaspur R/o Bhaimanagoi, P. S. Sarkanda, Tahsil and District Bilaspur, Chhattisgarh
7. Smt. Jethiya Bai Kewant W/o Late Ramkanhai Kewant, Aged About 47 Years, R/o Wards No. 12, Lofandi, P. S. Koni, Tahsil and District Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State of Chhattisgarh through Secretary, Nagariya Prashan Awam Vikas Vibhag, Mahanadi Bhavan, Mantralaya, Raipur, Chhattisgarh
2. The Director, Nagariya Prashan Awam Vikas Vibhag, Mahanadi Bhavan, Mantralaya, Raipur, Chhattisgarh
3. The Municipal Corporation Bilaspur through the Commissioner, Bilaspur, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Shri M. K. Sinha, Advocate.
For State	:	Shri Majid Ali, Dy. Government Advocate.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

01/08/2018

1. The only grievance of the petitioners in the present Writ Petition 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 Petition pending, rather ends of justice would meet if the Writ Petition is disposed off with a direction to the respondent No.3 to scrutinize the case of the petitioners and in case if the respondent No.3 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.3 shall take a decision in the case of the petitioners within a period of 90 days from today. It shall be the responsibility of the petitioners to bring the order passed by this Court to the notice of respondent no.3.
5. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE