

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6285 of 2018**

1. B. P. Gupta S/o Shri Balbhadra Prasad Gupta, Aged About 61 Years, Working As Hand Pump Technician, Public Health Engineering Department, Takhatpur Division, District Bilaspur, Chhattisgarh.
2. R K Pandey S/o Shri Amarnath Pandey, Aged About 61 Years, Working As Store Clerk, Public Health Engineering Department, Takhatpur Division, District Bilaspur, Chhattisgarh.
3. Anantram Shrivastava S/o Shri Makhanlal Shrivastava, Aged About 61 Years, Working As Hand Pump Technician, Public Health Engineering Department, Takhatpur Division, District Bilaspur, Chhattisgarh.

---Petitioners**Versus**

1. State Of Chhattisgarh Through Its Secretary, Public Health Engineering Department, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. Engineer In Chief, Public Health Engineering Department, Indrawati Bhawan, New Raipur, Chhattisgarh.
3. Superintendent Engineer, Public Health Engineering Department, Bilaspur Circle, District Bilaspur, Chhattisgarh.
4. Executive Engineer, Public Health Engineering Department, Division Office Bilaspur, District Bilaspur, Chhattisgarh.

---Respondents

For petitioners :	Shri Vinod Deshmukh, Advocate.
For State :	Shri Adhiraj Surana, Dy.G.A.

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

25/09/2018

1. The claim of the petitioners in the instant Writ Petition is that, they have been repeatedly making representations to the respondents to consider the services rendered by them as Daily Wage Employee as qualifying service for the purpose of determining pension and retiral dues.
2. The petitioners at the initial stage were appointed as Daily Wage Employee with the respondents and in due course of time they have been regularized and all the petitioners are in service

and likely to retire in a very short period of time. It is for this regard the petitioners have made representations to the authorities for counting the services rendered by them as Daily Wage Employee also as qualifying service for retiral dues.

3. The said representation is pending consideration before the authorities till date and no final decision as such has been passed.

4. Given the limited grievance, let the respondent No.2 take a decision on the representation of the petitioners as to whether the said services of the petitioners as Daily Wage Employee can be treated as qualifying service for the purpose of qualifying retiral dues keeping in view the judgment of the Hon'ble Supreme Court in the case of ***Netram Sahu v. State of Chhattisgarh decided on 23/03/2018 in Civil Appeal No. 1254/2018*** and also the subsequent circulars of the Department of Finance, Government of Chhattisgarh on this issue.

5. Let the said representation be decided by the respondent No.2 within a period of 90 days from the date of receipt of certified copy of this order.

6. In addition, the petitioners would also be at liberty to make a fresh representation to the respondent No.2 in this regard supported with all relevant documents.

7. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE