

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 7339 of 2018

Anil Bai Dixena W/o Bechan Ram Dixena Aged About 58 Years R/o
Ward No. 16, Near Hanuman Mandir, Dudga, Katghora, District- Korba,
Chhattisgarh., District : Korba, Chhattisgarh

---Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Engineer Through Hasdeo Kachhar, Water Resources Department, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Executive Engineer Through Water Resources Department, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---Respondents

For petitioner	:	Shri C.J.K.Rao, Advocate.
For State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/11/2018

1. The prayer made by the petitioner through the instant Writ Petition is for issuance of direction to the respondents to consider her claim for grant of pension as per the provision of Chhattisgarh Work Charge and Contingency Paid Employees Pension Rules, 1979.
2. The contention of the counsel for the petitioner is that, the petitioner is a widow and her deceased husband Bechan Ram Dixena was working in the contingency establishment of the State Government since 01/09/1982 and

he was subsequently regularized in the department on 14/08/2008. In less than about 2 years period, the husband of the petitioner died on 23/09/2010.

3. The contention of the counsel for the petitioner is that, for the purpose of grant of pension, the previous service rendered by the deceased as a Daily Wage Employee in the contingency establishment be also reckoned as qualifying service and in the light of the judgment passed by the division Bench of this Court in the case of **Lakhanram Sahu & Ors. v. State of C.G. & Ors. [WA No. 281 of 2013 d/on 26/02/2015]** the case of the petitioner be also considered for grant of pension.

4. The petitioner it seems has not filed any representation or moved any application to the respondents in respect of her claim.

5. Let the petitioner therefore make a suitable representation to the respondents No. 2 & 3 who in turn shall process the case of the petitioner at the earliest and subject to verification of the facts after taking into consideration the provisions of law as also the judgment of this Court in the case of Lakhanram Sahu (Supra) decide the claim of the petitioner at the earliest preferably within a period of 4 months from the date of receipt of certified copy of this order.

6. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE