

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 151 of 2019

1. Bihari Lal S/o Shri Bhaiya Lal, Aged About 64 Years, R/o Dabra Para, Bhilai -3, Jamul Chowk, District Durg, Chhattisgarh.
2. Smt. Madhu Soni W/o Dhruw Narayan Soni, Aged About 62 Years, Gandhi Nagar, Near Kanshi Kirana Store, Bhilai - 3, Tahsil Patan, District Durg, Chhattisgarh.

---Petitioners**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Directorate, Department Of Urban Administration And Development, Through Director, Department Of Urban Administration And Development, Indravati Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
3. Municipal Corporation, Bhilai, Through Commissioner, Municipal Corporation, Bhilai, District Durg, Chhattisgarh.

---Respondents

For petitioner	:	Shri Tarkeshwar Nandey, Advocate.
For resp.No.3	:	Shri Basant Dewangan on behalf of Shri Anup Majumdar, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/01/2019**

1. In the instant Writ Petition, the petitioners were working under the respondent No.3 – Municipal Corporation, Bhilai as a Daily Wage Employee and they were retired from service on 31/07/2017 and 30/11/2018 respectively.

2. The petitioners were initially appointed in the year 1988 and subsequently they were regularized in the year 2008 and as such they have worked worked as regular employee for a period of about 9 years.

3. The prayer made by the petitioners in the instant Writ Petition is for issuance of direction to the respondents to grant pensionary benefits to the petitioners by taking into account the service rendered by them prior to his services being regularized with the State Government i.e. the period of service rendered by them as a Daily Wage Worker.

4. The counsel for the petitioners played heavy reliance on the circular dated 26/05/2018 and 23/08/2018 issued by the Finance Department, Government of Chhattisgarh in this regard.

5. Considering the limited grievance of the petitioners, this Court does not intend to keep the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed off with a direction to the respondent No.1 to take a decision in respect of the claim of the petitioners. That while doing so, the respondent No.1 may also call in for any other circulars which are applicable so far as the Daily Wage Worker are concerned, issued by the Finance Department pertaining to the subject matter.

6. Let an appropriate decision be taken in this regard within a period of 90 days from today.

7. The Writ Petition accordingly stands allowed and disposed off.

Sd/-

(P. Sam Koshy)
JUDGE