

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 6 of 2019

1. Kumari Bai W/o Late Gambhir Yadav, Aged About 63 Years, R/o Gandhi Bhilai-3, Ward No. 14, Tahsil Patan, District- Durg, Chhattisgarh
2. Smt. Manorama Verma W/o Late Ghanshyam Verma, Aged About 64 Years, R/o Vasundhara Nagar (South), Bhilai-3, Qr. No. 21/7, Tahsil Patan, District- Durg, Chhattisgarh
3. Smt. Leela Bai W/o Late Bhuneshwar, Aged About 64 Years, R/o Bazar Chowk, Bhilai-3, Tahsil Patan, District- Durg, Chhattisgarh
4. Smt. Fulbai W/o Late Bhuneshwar Ongre, Aged About 50 Years, R/o Village Chhawani, Tahsil Patan, District- Durg, Chhattisgarh
5. Smt. Mumtaj Begum W/o Late Mohd. Saleem, Aged About 49 Years, R/o Ekta Chowk, Shantipara, 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, Distirct- Raipur, Chhattisgarh
2. Directorate, Department Of Urban Administration And Development, Through Its Director, Department Of Urban Administration And Development, Indiravati Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
3. Municipal Corporation Bhilai-Charoda, Through Commissioner, Municipal Corporation, Bhilai-Charoda, District- Durg, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Sourabh Sharma, Advocate
For State	:	Shri Jitendra Pali, Dy. A.G.
For Municipal Corporation	:	Shri Akhilesh Kumar, Advocate

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

07/01/2019

1. In the instant Writ Petition, the petitioners were working under the respondent No.3 – Municipal Corporation, Bhilai-Charoda as Daily Wage Employee and they were retired from service from 2016 to 2018.
2. The petitioners were initially appointed in the year 1985-1991 and subsequently they were regularized in the year 2008 and as such they have worked as regular employee for a period of about 8 to 10 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 services rendered by them prior to their 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 placed 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 Workers 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

Khatai