

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 496 of 2019

Devi Prasad Sharma S/o Late Shri Madan Lal Sharma, Aged About 62 Years, Presently Retired As Revenue Sub Inspector, Municipal Corporation, Bhilai, R/o Qr. No. 5 C Street No. 1 Sector - 8, Bhilai Nagar, District - Durg Chhattisgarh.

---Petitioner

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 Its Director, Department Of Urban Administration And Development, Indrawati Bhawan, Mantralaya Naya Raipur, District - Raipur Chhattisgarh.
3. Municipal Corporation Bhilai, Through - Commissioner, Municipal Corporation Bhilai, District - Durg Chhattisgarh.

---Respondents

For petitioner	:	Shri Sourabh Sharma, Advocate.
For resp.No.3	:	Shri Anup Majumdar, Advocate.
For State	:	Shri A.N.Bhakta, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/01/2019

1. The instant Writ Petition has been filed by the petitioner claiming for his services rendered as a Daily Wage Employee to be counted for the purpose of grant of pension and gratuity.
2. According to the counsel for the petitioner, the petitioner has been working with the respondent No.3 - Municipal Corporation, Bhilai on Daily Wages since 01/06/1984.

3. Subsequently, the petitioner was taken into the contingency services with effect from 17/01/1996 and in due course of time, the petitioner also stood regularized in the year 2009 and thereafter he stood retired from service in the year 2018. The petitioner as such had put in about 9 years of service.

4. The prayer of the petitioner is for the purpose of quantifying the pension and gratuity, the services rendered by the petitioner initially as Daily Wage Employee and subsequently as contingency employee should also be reckoned with.

5. The counsel for the petitioner paid heavy reliance on the circulars of the Finance Department, Government of Chhattisgarh dated 26/05/2018 and 23/08/2018 and also to recent circular of the State Government dated 16/01/2019 in this regard.

6. Considering the limited grievance that the petitioner has raised, 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.3 to take a decision in respect of the claim of the petitioner in the light of the aforesaid circulars of the State Government and an appropriate decision be taken at the earliest preferably within a period of 90 days from today.

7. With the aforesaid observation, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE