

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 457 of 2019**

Jawahar Lal Aghariya S/o Late Shri Param Lal Aghariya, age about 66 years, R/o Village- Dahkoni, Post – Rasota, Tahsil – Baloda, District – Janjgir – Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh, Through- Secretary, Water Resources Department, Mantralaya, Naya Raipur (Chhattisgarh)
2. The Director Treasury, Raipur (Chhattisgarh)

----Respondents

For Petitioner	:	Mr. S.P. Kale, Advocate
For State	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/01/2019**

1. The grievance of the petitioner in the present writ petition is that since the petitioner has retired from service on 30.04.2016, the respondents have released the pension only calculating the regular service of the petitioner i.e. the period w.e.f. 28.08.2008 till 30.04.2016.
2. The contention of the petitioner is that the State Government has recently taken certain decisions, wherein it has been envisaged that the past service rendered as a temporary employee under the contingency establishment shall also be counted as qualifying service for grant of pension and other retiral dues.
3. Given the said facts and circumstances of the case, as has been narrated by the petitioner, let the respondents verify the claim of the petitioner and in case, if the policy of the State Government holds that the petitioner's past service as a temporary employee/daily

wage employee has also to be taken into consideration for grant of pension and retiral dues, the benefits which shall so accrue, shall be released to the petitioner at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order. In case if the petitioner is not entitled for anything other than what has already been paid, then the petitioner should be suitably intimated in this regard.

4. While deciding the claim of the petitioner, the authorities would also take into consideration decision 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***.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved