

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.745 OF 2019**

1. Bisri Bai W/o Puran Lal Aged About 65 Years R/o Ramnagar, Near Muktidham, Bhilai, District- Durg, Chhattisgarh.
2. Sumitra Bai W/o Late Hiralal Nirmalkar Aged About 58 Years R/o Kumharpara Sanjay Nagar Supela, Near Kanhaiya Hotel, Bhilai, District- Durg, Chhattisgarh.

...Petitioner(s)**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, Through Its Director, Department Of Urban Administration And Development, Indiravati Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh.
3. Municipal Corporation Bhilai, Through- Commissioner, Municipal Corporation, Bhilai, District- Durg, Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri Sourabh Sharma, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.
For Respondent No.3	:	Shri Anup Majumdar, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05.02.2019**

1. The petitioner No.1 is an ex employee of the respondent No.3- corporation and the petitioner No.2 is the widow of ex employee late Hiralal Nirmalkar, ex employee of respondent No.3- corporation.
2. The petitioner and the Husband of respondent No.2 were working under the Respondent No.3-Municipal Corporation, Bhilai as Contingency Paid Employee. The petitioner No.1 stood retired from service on 05.03.2015 and the Husband of petitioner No.2 namely Hiralal died in harness on 26.02.2016. In both the cases, the initial appointment was of 1996-97 and subsequently the two employees were regularized in the year, 2008 and as such they had put in roughly about 8-9 years of regular service.
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 Contingency Paid Employee.

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, subject to verification of the factual details as has been enumerated by the petitioners from the official records. That, while doing so, the respondent No.1 may also call in for any other circulars which are applicable so far as the Contingency Paid Employees 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