

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.581 OF 2019**

1. Smt. Haseena Bano Wd/o Late Shiekh Subrati Aged About 40 Years R/o Near Tarbahar Masjid ,police Station Tarbahar Tahsil And District Bilaspur ,civil And Revenue District Bilaspur Chhattisgarh.
2. Smt. Bhuneshwari Dubey W/o Late Thakur Prasad Dubey Aged About 39 Years R/o Village Birkona, Police Station Koni ,tahsil And District Bilaspur Chhattisgarh.
3. Smt. Geeta Shrivastava W/o Dinesh Shrivastava Aged About 41 Years R/o Near Kanji House Karbala ,bilaspur Police Station City Kotwali Tahsil And District Bilaspur Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Secretary Nagariya Prashan Awam Vikas Vibhag Mahandi Bhawan Mantralaya Raipur Chhattisgarh.
2. The Director Nagariya Prashan Awam Vikas Vibhag Mahanadi Bhavan Mantralaya Raipur Chhattisgarh.
3. The Municipal Corporation Through The Commissioner, Bilaspur District Bilaspur Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri MK Sinha, Advocate.
For Respondent-State	:	Shri Rahul K. Mishra, Dy.Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29.01.2019**

1. The only grievance of the petitioners in the present Writ Petition seems to be that of they will be provided the benefit of pension as per the policy of the State Government in this regard.
2. The State counsel submits that, the Finance Department has already issued instructions in this regard in order No. 08/2018 dated 28/02/2018 whereby it has been clearly mentioned that, the Daily Wage Employees who were regularized subsequent to 01/11/2004 would be entitled for pension under the Pension Rules of 1979 and also by counting their past services rendered as a Daily Wage Employee prior to their regularization.
3. Given the said submission made by the State Counsel this Court is of the opinion that no fruitful purpose would be served in keeping 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 scrutinize the case

of the petitioners and in case if the respondent No.3 finds that the petitioners are also entitled for pension as per the guidelines of the Finance Department order No. 08/2018 dated 28/02/2018, then appropriate relief be granted to the petitioners forthwith.

4. It is expected that the respondent No.3 shall take a decision in the case of the petitioners within a period of 90 days from today. It shall be the responsibility of the petitioners to bring the order passed by this Court to the notice of respondent no.3.
5. The Writ Petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge