

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 837 of 2019**

1. Jainarayan Kashyap S/o Late Bahoran Lal Kashyap Aged About 63 Years R/o Village And Post Jarve (B), Tahsil Balouda, District Janjgir Champa Chhattisgarh.
2. Umend Ram Sahu S/o Chinta Ram Sahu Aged About 70 Years R/o Village And Post Katnai, Tahsil Akaltara, District Janjgir Champa Chhattisgarh.
3. Tatu Ram Bareth S/o Late Pyare Lal Aged About 69 Years R/o Village And Post Podi Dalha, Tahsil Akaltara, District Janjgir Champa Chhattisgarh.
4. Kartik Ram Kashyap S/o Late Kapilnath Kashyap, Aged About 65 Years, R/o Village And Post Katnai, Tahsil Akaltara, District Janjgir Champa, Chhattisgarh.
5. Jaydrat Manikpuri, S/o Ahibaran Manikpuri, Aged About 65 Years R/o Village And Post Seoni, Tahsil Janjgir, District Janjgir Champa Chhattisgarh.
6. Puni Das Manikpuri, S/o Ghasi Ram Manikpuri Aged About 63 Years R/o Village And Post Mahmand Bargava, Tahsil Akaltara, District Janjgir Champa Chhattisgarh.
7. Ramayan Prasad Nirmalkar S/o Dashrath Nirmalkar, Aged About 66 Years, R/o Village And Post Nariyara, Tahsil Akaltara, District Janjgir Champa Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Engineer In Chief, Water Resources Department, Raipur, District Raipur Chhattisgarh.
3. Chief Engineer Minimata (Hasdeo) Bango Pariyojna, Bilaspur, District Bilaspur Chhattisgarh.
4. Executive Engineer, Hasdeo Canal, Water Management Division, Janjgir District Janjgir Champa, Chhattisgarh.

---- Respondents

For petitioners	:	Mr. C.J.K. Rao, Advocate.
For State	:	Mr. Rahul Mishra, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/02/2019

1. Ignoring the default as pointed out by the Registry, with the consent parties, the writ petition disposed of finally.
2. The present writ petition has been filed seeking for a direction to the respondents to consider the claim of the petitioners for grant regular pay scale on their completing three years of service as daily wage employee.
3. Counsel for the petitioners submits that all these petitioners have since retired from service. They were all initially appointed prior to 1990 as daily wage employee and in due course of time, they were regularized in the year 2008 and have since retired.
4. The Grievance of the petitioners is that under the rules, the daily wage employees who have completed three years of service should receive the regular pay scale under the work charge contingency establishment which has not been given to any of the petitioners in the present writ petition.
5. A perusal of record would show that the petitioners till now have not made any representation while they were in service in respect of their claim and have now at this belated stage approached this Court under Article 226 of the Constitution of India.
6. Thus, at this juncture this Court is not inclined to entertain the writ petition. Reserving the right of the petitioners to make a suitable representation to respondent No 3 who in turn shall consider and scrutinize the claim of the petitioners, the writ petition stands

disposed of. If the petitioners are found entitled for the benefit, the same be extended to them and if they are not entitled for the benefit, they be suitably intimated as to why they would not be entitled for the said benefit .

7. With the aforesaid observations the writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Jyoti