

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1147 of 2019

B. L. Thakur S/o Late Shri Bhaktu Ram Thakur, Aged About 61 Years,
R/o Village Kerhi, Post Khursipar, Police Station Khursipar, Tahsil
Dongargarh, District Rajnandgaon, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Public Health Engineering, Department, Mahanandi Bhawan, Mantralaya, New Raipur P. S. Rakhi, District Raipur, Chhattisgarh.
2. The Chief Engineer, Public Health Engineering, Raipur District Raipur Chhattisgarh.
3. The Superintending Engineer, Public Health Engineering, Durg District Durg Chhattisgarh.
4. The Executive Engineer, Public Health Engineering, Rajnandgaon District Rajnandgaon, Chhattisgarh.

---Respondents

For petitioner	:	Shri Basant Dewangan, Advocate.
For State	:	Shri Saleem Kazi, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/02/2019

1. The grievance of the petitioner in the instant Writ Petition is that, he was appointed as "Handpump Mechanic" on 03/08/1983. He was discharging his duties with all sincerity when in 1995 he fell sick and suffered from some mental ailment.
2. The petitioner thereafter because of his ailment and mental condition could not attend his duties and remained absent for treatment till the year 2012.

3. Subsequently, the petitioner is said to have received a notice from the department in respect of his long absence from duties and the petitioner thereafter immediately gave joining to the department on 05/01/2012. When the petitioner reported for duty on 05/01/2012, he was not allowed to join his duty. This led to the petitioner filing a Writ Petition vide WPS No. 2547/2014 which this Court disposed off on 18/07/2007 and while disposing off the said Writ Petition this Court specifically directed the respondents to consider and take a decision in respect of the petitioner's claim regarding joining within a period of 3 months.

4. Pursuant to the direction given by this Court on 18/07/2017, the respondents have permitted the petitioner to join his duties w.e.f. 11/06/2018 onwards and since then the petitioner is continuously discharging his duties uninterrupted.

5. The grievance of the petitioner is that, though he has been permitted to join his duties, but the respondents have not release the salary for the period that he has worked with the department since 11/06/2018 onwards. It has been informed by the petitioner that he shall crossed the age of superannuation on 28/02/2019.

6. Given the aforesaid limited facts that has been enumerated in the Writ Petition this court is of the opinion that, no fruitful purpose would be served in keeping the Writ Petition pending.

7. Accordingly, the matter stands disposed off with a direction to the respondents No. 2 & 3 to take a decision on the claim of the petitioner and to

finalize the same within a period of 60 days from the date of receipt of copy of this order.

8. The respondents No. 2 & 3 shall also take appropriate steps in ensuring that on his retirement the dues that would be payable to the petitioner is also settled without any further delay.

9. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit