

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1384 of 2019

Kumait Ram Shandilya S/o Shri Nan Sai Shandilya Aged About 72 Years R/o Village Kuridih, Police Station Bhaiyathan, District-Surajpur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Scheduled Caste And Scheduled Tribe Development Department, Atal Nagar, Mantralaya, New Raipur, Chhattisgarh.
2. The Commissioner Bilaspur Division, Bilaspur, Chhattisgarh.
3. The Collector Surguja, Ambikapur, District- Surguja, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Sangeet Kumar Kushwaha, Advocate Mr. Ramakant Mishra, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27/02/2019

1. The grievance of the petitioner in the present writ petition is that since the petitioner has an order in his favour from this Court in WP No. 2351/2003 decided on 27.04.2012, wherein the order of dismissal was set-aside and the petitioner was granted the benefit of reinstatement with all consequential benefits and the High Court while deciding the writ petition had ordered that since the petitioner had crossed the age of superannuation, he should be given the benefit of salary and other retiral dues on the basis, as if the petitioner had been in continuous service from the date of removal till the date of his crossing the age of superannuation.

2. Counsel for the petitioner submits that though the respondents have partly complied with the order, but the petitioner has been deprived of his consequential relief in as much as the petitioner has not been given the periodical benefits of the higher pay scale and other similar benefits, which has been granted to the persons, who were immediate juniors to the petitioner.
3. The petitioner further submits that in this regard, the petitioner has already made a representation to the respondent No.1 on 18.01.2016 and the reminder of which was also sent on 06.09.2017, but till date no decisions have been taken.
4. Given the said facts, let the respondents No.1 & 2 take a decision on the representation of the petitioner.
5. It is expected that the respondents would compare the case of the petitioner at par with his immediate junior and the petitioner would be granted the similar benefits that has been paid to his immediate juniors.
6. Let a decision be taken by the respondents No.1 & 2 preferably within a period of 4 months from the date of receipt of the copy of this order.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge