

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1738 of 2019

1. Pramod Kumar Mahar S/o Late Baishakhu Ram, Aged About 64 Years, R/o Ambedkar Nagar, P.S. Civil Line, Tah. And Distt. Bilaspur, Civil And Revnue District- Bilaspur, Chhattisgarh.
2. Smt. Jamuna Bai W/o Late Amoldas Panika, Aged About 55 Years, R/o Kududand, Near Pani Tanki, Tah. And District- Bilaspur, Chhattisgarh.
3. Smt. Roop Kumar W/o Sundar Lal Rajak, Aged About 62 Years, Juna Bilaspur, Katiapara, Bilaspur, Tah. And District- Bilaspur, Chhattisgarh.

---Petitioners

Versus

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

---Respondents

For petitioners	:	Shri Manoj Kumar Sinha, Advocate.
For State	:	Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/03/2019

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

Sumit