

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1681 of 2019

Maniram Kanskar S/o Late Mohitram Kanskar, Aged About 60 Years, Occupation Surveyor, Presently Posted Office Of The Assistant Soil Conservation Office, At Surajpur, Post Office And District Surajpur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Agricultural, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Director Agricultural, Chhattisgarh Raipur, District Raipur, Chhattisgarh.
3. Joint Director Agricultural, Nehru Chowk Bilaspur, Division Bilaspur, Chhattisgarh.

---Respondents

For petitioner	:	Shri K.N.Nande, Advocate.
For State	:	Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/03/2019

1. The dispute in the instant Writ Petition is to the extent of the petitioner not been granted the benefit of Kramonnati in spite of putting more than 35-37 years of continuous service.
2. The case of the petitioner is that, he was appointed as "Surveyor" in the year 1982 and in between the petitioner got terminated vide order dated 01/11/1990. The order of dismissal was challenged before the High Court vide O.A. No. 2786/1993 and the O.A. stood allowed vide order dated 21/03/1996 and the termination order was set-aside.

3. Subsequently, the petitioner also moved a Writ Petition before this Court which was registered as WPS No. 1596/2005 seeking for the backwages for the period the petitioner was out of employment by virtue of the illegal order of dismissal. The Writ Petition finally was allowed on 21/06/2016.

4. At this juncture the counsel for the petitioner submits that, the said order of this Court dated 21/06/2016 passed in WPS No. 1596/2005 was not challenged any further and the department has infact complied the same and the petitioner has been paid the entire backwages for the period he was out of employment. According to the petitioner, now that the petitioner has also received the entire backwages for the intervening period, for all practical purposes the services of the petitioner has to be treated as in continuous service from the initial date of appointment i.e. from the year 1982 till date i.e. for a period of about 37 years.

5. According to the petitioner, he was appointed as "Surveyor" and even today the petitioner remains a "Surveyor" under the respondents and therefore the petitioner would be entitled for the benefit of first Kramonnati on completion of 12 years of service and the second Kramonnati on completion of 24 years of service, however the respondents till date have not taken any decision in this regard. He further submits that, the representation which the petitioner had made to the authorities concerned is also till date pending consideration.

6. Given the said facts and circumstances of the case this Court is of the opinion that ends of justice would meet if the the respondent No.2 is directed to ensure that the representation of the petitioner so far as grant of Kramonnati is concerned is decided by the respondents at the earliest preferably within a period of 3 months from the date of receipt of copy of this order.

7. It shall be the responsibility of the petitioner to apprise the respondent No.2 so far as the order passed by this Court is concerned.

8. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit