

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3543 of 2019

1. Babulal Lodhi @ Babulal Kalpure S/o Late Tatuji Kalpure Aged About 77 Years R/o Adarsh Para, Near Shiv Mandir, Supela Bhilai, District Durg Chhattisgarh.
2. Smt. Parwati Bai W/o Late Rajvanshi Aged About 55 Years R/o Goutam Nagar, Ward No. 5 Supela, Bhilai, District Durg Chhattisgarh
3. Shakun Bai W/o Late Khedram Aged About 49 Years R/o Kukda (Kumhar) District Durg Chhattisgarh.
4. Radhabai Madhukar W/o Late Onkar Prasad Aged About 50 Years R/o Village Jarway, District Durg Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Directorate Department Of Urban Administration And Development, Through Its Director, Department Of Urban Administration And Development, Indiravati Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
3. Municipal Corporation, Bhilai, Through Commissioner, Municipal Corporation, Bhilai, District Durg Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Somkant Verma, on behalf of Mr. Saurabh Sharma Advocates.
For State	:	Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

10/05/2019

1. The present writ petition has been filed by the petitioner No. 1 who was an employee of the respondent No. 3 who has retired from service in September, 2006. The petitioners No. 2 to 4 are widows of ex-employees of the respondent No. 3, who have died in harness in between 1990 to 1996. According to the petitioners, they have not been granted the pensionary benefits in-spite of the fact that the petitioner No. 1 and husband of the petitioners No. 2 to 4 were regular employees working under the respondent No. 3.

2. The Counsel for the petitioners submit that they had put in about more than 10 years of service prior to the regularization and if the said period is taken into account for the purpose of calculating the length of service then the petitioners would become entitled for pension and pensionary benefits.
3. It is further the contention of the petitioners that the State government has recently issued certain circulars whereby they have decided to count the service rendered as a daily wage employee for the purpose of grant of pension.
4. Given the aforesaid factual matrix of the case, let the petitioners make a suitable representation in this regard to the respondents No. 2 and 3 within a period of four weeks from today and respondents No. 2 & 3 in turn shall consider the contents of the case and decide the claim of the petitioners at the earliest preferably within a period of 90 days from the date of receipt of representation to be made by the petitioners in accordance with the rules and regulations and the circulars issued by the State Government from time to time.
5. The writ petition stands accordingly disposed off.

Sd/-
(P. Sam Koshy)
Judge