

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2814 of 2019

Abdul Habib Qureshi S/o Abdul Karim Qureshi Aged About 50 Years Present Working In Tehsil Office Pandariya, District Kabirdham Chhattisgarh, R/o Village Dhanuwasagar, Tehsil And District Dindory, Madhya Pradesh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department Of Revenue Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. The Tahsildar Pandariya Tehsil Pandariya, District Kabirdham Chhattisgarh.
3. The Sub Divisional Officer (Revenue) Pandariya, District Kabirdham Chhattisgarh.
4. The Collector Kabirdham District Kabirdham Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Kishan Lal Sahu, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/04/2019

1. The present writ petition has been filed seeking relief for a direction to the respondents for releasing the salary of the petitioner from 04.04.2018 till date.
2. Counsel for the petitioner submits that the petitioner had initially taken a casual leave on account of ill health on 03.04.2018 and subsequently applied for medical leave from 07.04.2018 till 27.06.2018, thereafter the petitioner has given his joining on getting well to the office of Tahsildar Pandariya on 29.06.2018 and since then till date he continues to work at the said office of Pandariya, but he has not been paid the salary from April, 2018 onwards.
3. Counsel for the petitioner submits that for the period, the petitioner was not well, he had already submitted the medical leave application supported with

medical certificate for the ailment that he was suffering from and the said period also has to be regularized by the Department and the petitioner also is entitled for the salary for all these period, particularly from June, 2018, from when he is in fact discharging duties in the office of the Tahsildar, Pandariya. The petitioner has also been deprived of the annual increment that he was otherwise entitled for.

4. Given the aforesaid facts and circumstances, this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending, rather ends of justice would meet if the writ petition is disposed of with a direction toe the respondents No.3 & 4 to verify as to whether the petitioner had applied for leave during the period from 03.04.2018 till 27.06.2018 and whether the petitioner has in fact reported for duties on 29.06.2018 and since then whether he is reporting for duty or not.
5. Subject to verification of the aforesaid facts, the respondents No.3 & 4 are directed to take an appropriate decision so far as grant of salary and the regularization of leave period and also the grievances of the petitioner so far as non-granting of annual increment is concerned.
6. Let an appropriate decision be taken by the respondents No.3 & 4 at the earliest preferably within a period of 90 days 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