

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 3071 of 2019**

1. Shriram S/o Shri Ramcharan, Aged About 63 Years, Dairy Attendant
R/o Lalbagh, Rajnandgaon, District Rajnandgaon, Chhattisgarh
2. Gayaram Verma S/o Shri Kapil Ram Verma, Aged About 53 Years,
Chowkidar At Director Of Animal Husbandry, Atal Nagar, Raipur
Chhattisgarh
3. Kanta Prasad Verma S/o Shri Bhagguram Verma, Aged About 55
Years, Peon At Director Of Animal Husbandry, Atal Nagar, Raipur
Chhattisgarh
4. Shrawan Kumar Mishra S/o Shri Ram Manohar Mishra, Aged About
59 Years, Peon At Director Of Animal Husbandry, Atal Nagar, Raipur
Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Animal
Husbandry, Veterinary Services And Dairy Development, Mantralaya,
Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh
2. The Director, Office Of Directorate, Animal Husbandry And Dairy
Department (Veterinary Services), Indrawati Bhawan, Atal Nagar,
Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Ritesh Giri, Advocate
For Respondent/State	:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26/04/2019**

1. The claim of the petitioners in the present writ petition is for an appropriate direction to the respondents for counting the services rendered by the petitioners as a daily wage employee for the purpose of counting total length of service for determining pension and pensionary benefits.

2. Counsel for the petitioners submits that petitioner no.1 retired from service in December, 2016 after being regularized in the Department on 10.02.2004 and as such he has put in about 12 ½ years of regular service. He submits that prior to 2004 petitioner no.1 had put in about 22 years of service as a daily wage employee and that period may also be counted for the purpose of pension and pensionary benefits. He further submits that the petitioners 2 to 4 had also put in about 20 years of service as daily wage employee prior to their regularization and they have also sought for a direction from the Department to consider that period while quantifying pension at the time of their retirement from service.

3. So far as petitioners 2 to 4 are concerned, since they are still in employment, the only direction which could be issued would be for the petitioners 2 to 4 to make an appropriate representation to the authorities concerned who in turn would take note of the same while finalizing the retiral dues and the pensionary benefits payable to the petitioners 2 to 4.

4. So far as petitioner No.1 is concerned, since he has already retired from service, the respondent authorities may take into consideration the directives given by the Division Bench of this Court in the case of Lakhanram Sahu and others Vs. State of Chhattisgarh and others passed in Writ Appeal No. 281 of 2013 and batch of cases vide order dated 26-02-2015 and the Govt. circulars issued thereafter particularly the circulars issued by the Finance Department of the Govt. of Chhattisgarh for

counting the period rendered as daily wage employee for the purpose of grant of pension. Let an appropriate decision be taken in this regard by respondent no.2 so far as the case of petitioner no.1 is concerned, at the earliest, preferably within a period of 4 months from the date of receipt of copy of this order.

5. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
JUDGE**