

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3719 of 2019**

1. Prahlad Singh Verma S/o Late Shri Devbagas Verma, Aged About 61 Years 6 Months, Working As Assistant Grade III, Office Of Collector (Local Election Branch), District Korba, Chhattisgarh
2. Harminder Singh S/o Late Shri Sant Singh, Aged About 58 Years, Working As Driver, Office Of Collector (Revenue), District Korba Chhattisgarh
3. Ramgopal S/o Late Shri Harikanth Singh, Aged About 57 Years Working As Driver, Office of Collector (Excise Department), District Korba, Chhattisgarh
4. Manoj Singh S/o Shri Hausla Prasad Singh, Aged About 52 Years Working As Assistant Grade - III, Office Of Tahsildar, Kartala, District Korba, Chhattisgarh
5. Badri Singh S/o Late Shri Munshi Singh, Aged About 59 Years Working As Assistant Grade III, Office Of Tahsildar, Kartala, District Korba, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Its Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh
2. The Secretary, Transport Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh
3. The Secretary, Department Of Chhattisgarh, State Election Commission, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh

4. The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
5. The Secretary, Department Of Excise, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh
6. Collector, Office Of Collector, District Korba, Chhattisgarh
7. Chhattisgarh Infrastructure Development Corporation Through Its Managing Director, C.I.D.C. Shastri Chowk, Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Vinod Deshmukh, Advocate.
For Respondents	:	Mr. Rahul Mishra, Dy. G.A. and Shri Ratan Pusty, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

15.05.2019

1. Learned counsel for the petitioners would submit that the petitioners were working in erstwhile M.P.S.R.T.C., however after creation of the State of Chhattisgarh a separate Road Transport Corporation has not been constituted in the State of Chhattisgarh, therefore, their services were placed in the control of respondent/Chhattisgarh Infrastructure Development Corporation (for short 'C.I.D.C.'). It is contention of the counsel for the petitioners that pursuant to the decision of the State Govt. the petitioners have been sent on deputation to various departments of the State Govt. like Excise department, Revenue department, Office of the State Election Commission and some of the employees have been sent to different local bodies under the Urban

Administration Department. It is the further contention of the counsel for the petitioners that each of the petitioners have served the respective departments where they have been sent on deputation for approximately 15 years and all the petitioners are still working with the respective departments where they have been sent on deputation till now. He would further submit that the State Government has issued number of circulars deciding to absorb services of the employees working in the erstwhile M.P.S.R.T.C in various Corporation/Mandals in the State of Chhattisgarh and in furtherance of the said policy several employees have already been absorbed, however the decision has not yet been taken and the petitioners are losing seniority, pay scale etc.

2. Learned counsel would further submit that for the present, the petitioners would confine their prayer for issuance of direction to the respondents to take a decision on the representations pending before the said authority. He is restricting his prayer in view of the order passed by this Court in the matters of O.P. Singh Vs. State of Chhattisgarh & others¹, Abdul Hakim Vs. State of Chhattisgarh & others², Uttam Kumar Sharma Vs. State of Chhattisgarh & others³, Raju Pandey & others Vs. The State of Chhattisgarh & others⁴, Nandkumar Vaishnav & others Vs. The State of Chhattisgarh & others⁵ and Chandrayan Singh Thakur & others Vs. The State of Chhattisgarh & others⁶.

1 WPS No. 5521/2010

2 WPS No. 473/2013

3 WPS No. 476/2013

4 WPS No. 1220/2013

5 WPS No. 1458/2013

6 WPS No. 2128/2013

3. In view of the above, the writ petition is disposed of with a direction that in the event petitioners submit fresh representations before the concerned respondent within a period of four weeks, the said authority shall consider and decide petitioners' representations in an objective manner keeping in view the circular issued by the State Government from time to time, as also the orders of absorption passed with respect to the similarly placed employees, as early as possible, preferably within a period of three months from the date of submission of representations.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.
5. With the above observation, the writ petition is finally disposed of.

Sd/-
P. Sam Koshy
Judge