

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3735 of 2019**

Bharat Lal Kashyap S/o Late Shri Rajaram Kashyap, Aged About 63 Years, Retired Compressor Operator, LIS, Nawagaon - Ratanpur Water Resources Department, Sub - Division Office (E/M) Light Machinery Nalkoop And Gate, Sub Division Sakari, Division Bilaspur District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Public Works, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh
2. Engineer In Chief, Water Resources Department, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
3. Executive Engineer, Water Resources Department (E/m) Light Machinery Nalkoop And Gate, Division Bilaspur, District Bilaspur Chhattisgarh
4. Divisional Joint Director, Treasury, Account And Pension, Bilaspur Division Bilaspur, Chhattisgarh

---Respondents

For petitioner	:	Shri F. S. Khare, Advocate.
For State	:	Shri P. Acharya, P.L.

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

15/05/2019

1. The grievance raised by the petitioner in the present Writ Petition is the non-consideration of the past service rendered by him prior to his regularization in service for the purpose of grant of pension and pensionary benefits.
2. The division Bench of this Court so far as counting past service is concerned have already taken a decision in the case of **Lakhanram**

Sahu & Ors. v. State of C.G. & Ors. [WA No. 281 of 2013 d/on 26/02/2015].

3. Moreover, the Department of Finance, Government of Chhattisgarh also has in the recent past issued a couple of circulars whereby they have ordered for taking the past service also into consideration for quantifying the pension and pensionary benefits.
4. Let, the petitioner's case also be considered by the respondents No.2 & 3 at the earliest preferably within a period of 3 months from the date of receipt of certified copy of this order taking into consideration the recent circulars of the State Government in this regard. The respondents while considering the claim of the petitioner would also consider the benefit of leave encashment which the petitioner is entitled for.
5. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE