

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3891 of 2019**

Bhagwati Prasad Shukla S/o Late C.P. Shukla, Aged About 62 Years,
Occupation- Constable (Retired), R/o D/234, Yadunandan Nagar,
District- Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Home Affairs And Finance Department, Mahanadi Bhawan, New Mantralaya, Raipur, Chhattisgarh
2. The Director General Of Police, Police HeadQuarters, Raipur, Chhattisgarh
3. Inspector General Of Police, Bilaspur, District- Bilaspur, Chhattisgarh
4. The Superintendent Of Police, Bilaspur, District- Bilaspur, Chhattisgarh
5. The Joint Director, Treasury, Account And Pension, Bilaspur, District- Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Palash Tiwari, Advocate
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17.06.2019**

1. The grievance of the petitioner in the present writ petition is that the petitioner's pension has been fixed accepting his date of appointment as 08.11.1990 whereas the petitioner had joined service on 18.06.1980 and therefore, he should have been granted the pensionary benefits

from 18.06.1980 on wards and not 08.11.1990 as has been done by the respondents.

2. Counsel for the petitioner refers to Annexure P-1 dated 15.10.1990 whereby the order of termination dated 31.12.1989 was set aside by respondent no.3 and the entire service was ordered to be treated as period spent on duty. Thus, for all practical purposes, the said period is liable to be taken into account for fixing the pension and other benefits to the petitioner.
3. It appears that the petitioner's service has been counted only from the date he has subsequently joined the service on being reinstated by respondent no.3.
4. Given the said fact, let the petitioner make a fresh representation to respondents 2 & 3 in this regard within a period of 15 days from today and respondents 2 & 3 in turn on due scrutiny of the entire service record of the petitioner including the order dated 15.10.1990 passed by the then Inspector General of Police, Bilaspur Zone granting reinstatement in service to the petitioner pass an appropriate order within a further period of 4 months from the date of receipt of representation of the petitioner. Let the petitioner enclose all relevant documents along with the fresh representation.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE