

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6158 of 2019**

Dr. Shailendra Kumar Pradhan S/o Late Shri Sakharam Pradhan Aged About 62 Years Working As Revenue Officer In Municipal Corporation, Dhamtari, District Dhamtari Chhattisgarh. R/o Azad Nagar, Takhatpur, Police Station Takhatpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mantralay, Mahanadi Bhawan, Capital Complex, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Urban Administration And Development Directorate, Indravati Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Secretary Transport Department, Mantralay, Mahanadi Bhawan, Nawa, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. The Managing Director Chhattisgarh Infrastructure Development Corporation Limited, Second Floor, Chhattisgarh State Kaushal Vikas Pradhikaran Bhawan, Old Police Head Quarter, Campus, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. The Commissioner Municipal Corporation, Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Upasana Mehta, Advocate
For State	:	Ms. Sunita Jain, GA
For respondent/s	:	Mr. Mateen Siddiqui, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19/08/2019**

1. The limited grievance which the petitioner has raised in the present writ petition is for an appropriate direction to the respondents for

considering the claim of the petitioner for absorption under respondent No. 5- Corporation.

2. Contention of the petitioner is that the petitioner was working under the erstwhile State of Madhya Pradesh State Road Transport Corporation. On creation of State of Chhattisgarh, services of the petitioner stood allocated to the State of Chhattisgarh. In the State of Chhattisgarh, the services of the petitioner came under the Chhattisgarh State Infrastructure Development Corporation (in short "CSIDC") which is the nodal agency created for controlling the employees under the erstwhile M.P.S.R.T.C. and other similar corporations. CSIDC sent the petitioner on deputation to General Administration Department, Government of Chhattisgarh on special duty in the year 2003-2004. Services of the petitioner was later on sent onto the Municipal Corporation, Raipur in the year 2006. Later on, petitioner was sent as a Chief Municipal Officer, Nagar Panchayat, Balrampur, District Surguja (as it then was). In 2009 itself a resolution was passed by the Nagar Panchayat, Balrampur recommending the case of the petitioner under the Urban Administration Department, but till date no decision was passed and petitioner later on was transferred from Nagar Panchayat, Balrampur to Nagar Panchayat, Takhatpur. Later on, the petitioner again stood transferred to the Municipal Corporation, Dhamtari in the year 2017 where the petitioner is working as Revenue Officer under respondent No. 5- Corporation. Respondent No. 5 also has recommended the case of the petitioner for absorption but till date no final decision has been taken by authorities concerned. It is contended by the petitioner that petitioner is to retire from service in September, 2019 and

therefore, respondents be directed for an early decision on the claim for absorption.

3. Given the fact that petitioner is to retire in September, 2019 the respondent No. 1, 2 & 3 are directed to consider the claim of the petitioner at the earliest for absorption taking into consideration the circulars of the State Government and policy decision of the State Government in this regard.
4. Considering that petitioner is to retire in September, 2019, respondents are expected to take a decision at the earliest preferably within a period of 45 days from the date of receipt of copy of this order. It shall be the responsibility of the petitioner to apprise respondent No. 1, 2 & 3 so far as the order passed by this court is concerned.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit