

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6401 of 2019

Krishna Rrasad Vishwakarma S/o Late Jagdish Prasad Aged About 64 Years O/o Sub Divisional Officer, E / M Light Machinery Tubewell And Gate Sub Division Ambikapur, District - Surguja Chhattisgarh R/o Village Silfili, Police Station - Jainagar, Tahsil And District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through - Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Engineer In Chief, Water Resources Department, Sihawa Bhawan, Raipur, District - Raipur Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
3. The Chief Engineer, Hasdeo Ganga Kachar, Water Resource Department, Ambikapur District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
4. The Executive Engineer Water Resource Division No. 1 Ambikapur, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
5. The Sub Divisional Officer E And M Light Machinery Tubewell And Gate, Sub Divisional Ambikapur District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---Respondents

For Petitioner	:	Mr. A.S. Rajput, Advocate
For State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/08/2019

1. The limited prayer that the petitioner makes at the outside is that the representation which the petitioner has made claiming for the pension and gratuity be counted including the period of daily wage services that the petitioner has rendered be decided at the earliest.
2. The contention of the petitioner is that he was initially engaged as a daily wage employee in the year 1980 and in due course of time the petitioner

was regularized in service in the year 1995 and he finally stood retired w.e.f. 30.04.2017. He submits that the services rendered by the petitioner as deceased employee be also counted for the purpose of calculating the gratuity and determining the pension. He relied upon the judgment of the Hon'ble Supreme Court in the case of “**Netram Sahu v. State of Chhattisgarh & Another**” 2018 (5) SCC 430.

3. The counsel for the petitioner also submits that the State Government already has taken certain decision in this regard vide circular dated 24.05.2018 and also dated 29.10.2018 (Annexure P/6 and P/7) enclosed with the writ petition.
4. Given the said facts and circumstances of the case, let the respondents No.2 to 5 take an appropriate decision on the representation which the petitioner has made at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order keeping in view all the aforesaid submissions that the petitioner has made.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved