

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6431 of 2019**

Smt. Kanchan Kunwar W/o Late Shri Balram Paikra, Aged About 58
Years, R/o Village Lailunga, Post Udari, District Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, (Resham Department)
Rural Industries Mantralay, Mahanadi Bhawan, Atal Nagar District
New Raipur, Chhattisgarh
2. The Director, Directorate Of Rural Industries, (Resham Department)
Chhattisgarh, Indrawati Bhawan, Block 1, 4th Floor, Atal Nagar
District Raipur, Chhattisgarh
3. Deputy Director (Resham) Ambikapur, District Surguja, Chhattisgarh
4. Joint Director, Treasury Account And Pension, Ambikapur, District
Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Varsha Sharma, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.08.2019**

Heard.

1. Learned counsel for the parties would submit that the matter in issue
is covered by the common order dated 26.2.2015 passed by the
Division Bench of this Court in WA No.281 of 2013 (Lakhanram Sahu

and others Vs. State of Chhattisgarh and others) and other connected writ appeals. Against the said order, the State travelled up to the Supreme Court by filing SLP (C) Nos.11541-11550/2016, which have been dismissed by the Supreme Court, affirming the order passed by the Division Bench of this Court. They would pray that this writ petition may also be allowed in the same terms.

2. Learned State counsel would submit that though there is no quarrel with the settled legal position, however, before extending the benefit to the petitioner, it would require verification of facts, particularly, regarding the status of the deceased employee as to whether he was in contingency establishment. Subject to verification of the said fact, the benefit would be extended to the petitioner on similar lines as ordered in the case of Lakhanram Sahu (supra).
3. In view of the above, this petition is also disposed off with direction to respondents to examine petitioner's entitlement in the light of aforesaid decision in the case of Lakhanram Sahu (supra) and upon verification of facts, if it is found that the petitioner's husband is entitled to similar relief as ordered in the case of Lakhanram Sahu (supra), the same benefit shall be extended to the petitioner as early as possible considering that the petitioner's husband has already died. This exercise should be completed within a maximum period of 90 days from the date of receipt of copy of this order.

**Sd/-
P. Sam Koshy
Judge**