

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7662 of 2019

1. Saheblal Suryavanshi, S/o Late Shri Late Rusau, Aged About 63 Years, R/o Village And Post Semartal, Police Station: Koni, District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mantralaya, Naya Raipur, District : Raipur, Chhattisgarh
2. Director Treasury, Account And Pension Raipur, District : Raipur, Chhattisgarh
3. Accountant General State Of Chhattisgarh Raipur, District: Raipur, (Chhattisgarh)

---Respondents

For Petitioner	:	Mr. S.P. Kale, Advocate.
For State	:	Mr. Anshuman Shrivastava, P.L.
For Respondent No. 3	:	Mr. Rajkumar Gupta

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.09.2019

1. Ignoring the default pointed-out by the Registry as of now, with the consent of the parties, the matter is heard finally and disposed-off at motion stage.
2. The claim of the petitioner in the present Writ Petition is to direct the respondents to consider the grant of pension and pensionary benefits including gratuity from the date of initial appointment/engagement till the date of retirement with interest.
3. The contention of the petitioner is that, he was initially appointed/engaged on 01.07.1978 on the post of Daily Wage Labour.

The petitioner continuously worked thereafter till attaining the age of superannuation (60 years) till 31.12.2012.

4. According to the petitioner, his services stood regularized under the contingency establishment vide order dated 27.08.2008, therefore, considering the past services of the petitioner as a Daily Wage Employee and taking note of the judgment in the case of **Lakhanram Sahu and others Vs. State of Chhattisgarh and others passed in Writ Appeal No. 281 of 2013** and other analogous writ appeals and writ petitions decided on 26.02.2015, pension and pensionary benefits should also be considered and decided.
5. To the limited prayer that the petitioner has made, the State Counsel does not oppose subject to verification of the fact of appointment from the relevant documents in the department.
6. Given the said facts and circumstances of the case, let the Respondents No. 1 and 2 scrutinize the claim of the petitioner for grant of pension by taking into consideration the services rendered by him as a Daily Wage Employee prior to his regularization for the purpose of pension and retiral dues.
7. Let this exercise be completed within a period of 3 months from the date of receipt of copy of this Order. It shall be the responsibility of the petitioner to apprise the Respondent No. 1 and 2, so far as the Order passed by this Court is concerned.
8. Accordingly, the present Writ Petition stands disposed off.

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