

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8444 of 2018

1. Mahadev Yadav S/o Chhabilram, Aged About 63 Years, R/o Kosanala, Near Choubey Floor Mill, Ward No.3, Bhilai, District - Durg, Chhattisgarh.
2. Narayan Prasad Chandrakar S/o Late Guharam Chandrakar, Aged About 65 Years, R/o Village Kuthrel Police Station Anda, District - Durg, Chhattisgarh.
3. Bahadur Ram Chandrakar S/o Nathuram Chandrakar, Aged About 64 Years, R/o Ward No. 12, Chandkhuri, District - Durg, Chhattisgarh.
4. Smt. Shanti Bai W/o Late Geetalal, Aged About 50 Years, R/o Ward No. 26, Shyam Nagar, Camp li, Bhilai, District - Durg, Chhattisgarh.
5. Punoutin Bai W/o Late Lakhanlal Yadav, Aged About 55 Years, R/o Shiv Nagar Kumhari, Ward No.1, District - Durg, Chhattisgarh.
6. Smt. Mantora Bai W/o Late Radheshyam Lahri, Aged About 38 Years, Santoshi Para, Camp li, Ward No. 25, Bhilainagar, District - Durg, Chhattisgarh.
7. Smt. Shanti Bai W/o Late Ganeshu, Aged About 50 Years, R/o Ashadeep Colony, Sharda Para, Camp li, Bhilai, District - Durg, Chhattisgarh.

---Petitioners**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District - Raipur Chhattisgarh.
2. Directorate, Department Of Urban Administration And Development, Through Its Director, Department Of Urban Administration And Development, Indiravati Bhawan, Mantralaya, Naya Raipur, District - Raipur Chhattisgarh.
3. Municipal Corporation Bhilai, Through - Commissioner, Municipal Corporation, Bhilai, District - Durg Chhattisgarh.

---Respondents

For petitioners	:	Shri Sourabh Sharma, Advocate.
For resp.No.3	:	Shri Anup Majumdar, Advocate.
For State	:	Ms. Sunita Jain, Panel Lawyer.

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

03/01/2019

1. In the instant Writ Petition, the petitioners were working under the respondent No.2 – Municipal Corporation, Bhilai as a Daily Wage Employee and they were retired from service on 2012 to 2017 respectively.
2. The petitioners were initially appointed in the year 1985-1995 and subsequently they were regularized in the year 2008 and as such they have worked worked as regular employee for a period of about 4 to 9 years.
3. The prayer made by the petitioners in the instant Writ Petition is for issuance of direction to the respondents to grant pensionary benefits to the petitioners by taking into account the service rendered by them prior to his services being regularized with the State Government i.e. the period of service rendered by them as a Daily Wage Worker.
4. The counsel for the petitioners played heavy reliance on the circular dated 26/05/2018 and 23/08/2018 issued by the Finance Department, Government of Chhattisgarh in this regard.
5. Considering the limited grievance of the petitioners, this Court does not intend to keep the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed off with a direction to the respondent No.1 to take a decision in respect of the claim of the petitioners. That while doing so, the respondent No.1 may also call in for any other circulars which are applicable so far as the Daily Wage Worker are concerned, issued by the Finance Department pertaining to the subject matter.

6. Let an appropriate decision be taken in this regard within a period of 90 days from today.

7. The Writ Petition accordingly stands allowed and disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit