

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 117 of 2019

1. Smt. Radha Dhurve W/o Late Rainu Ram Dhurve Aged About 60 Years R/o Aamapara, Balod, District- Balod, Chhattisgarh.
2. Smt. Johani Thakur W/o Late Shobhu Ram Thakur Aged About 61 Years R/o Village Jatadah, Post Sahgaon (Doundilohara) District- Balod, Chhattisgarh.
3. Smt. Sushila Bai Thakur W/o Late Kripa Ram Thakur Aged About 58 Years R/o Village Baghmara, Tahsil And District- Balod, Chhattisgarh.
4. Smt. Kaliyabai Soni W/o Late Shantanu Ram Soni Aged About 58 Years R/o Village Tahsil And District- Balod, Chhattisgarh.
5. Smt. Maheshwari Rana W/o Late Ranjit Singh Rana Aged About 58 Years R/o Village Baghmara, Tahsil And District- Balod, Chhattisgarh
6. Ripusudan Lal Sahu S/o Late K. Sahu Aged About 63 Years R/o Village Baghmara, Tahsil And District- Balod, Chhattisgarh
7. Smt. Savita Yadav S/o Late Gop Kumar Yadav Aged About 58 Years R/o Village Sanjay Nagar, Doundilohar, District- Balod, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. District Education Officer, Balod, District- Balod, Chhattisgarh
3. Treasury Officer Treasury, Account And Pension, Balod, District- Balod, Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/01/2019

1. The grievance of the petitioner in the present writ petition is that the husbands of each of the petitioners were working with the respondents on the post of Assistant Teachers and who have since expired while in service on different dates.

2. The contention of the petitioners is that when the deceased employees were in service, they had filed a writ petition before this Court seeking the benefits of the regular payscale from the date of initial appointment as has been granted in the case of “***Madhukant Yadu and 56 others Vs. State of M.P. & others***” (O.A. No.2745/89) decided by the Madhya Pradesh State Administrative Tribunal.
3. According to the petitioners, before the benefits could be received, all the concerned employees had expired and therefore the legal representatives of all those deceased employees had made representations before the authorities for considering their case for granting the benefits of the regular payscale payable to the deceased employees from the date of their initial appointment.
4. The limited prayer, which the petitioners have raised is that all the petitioners have made the representations collectively marked as Annexure P/3, which till date have not been decided therefore the respondents be directed to take an appropriate decision at the earliest and the arrears payable to the petitioners including the revised pensionary and terminal benefits, if any, be paid at the earliest.
5. Given the limited prayer, that they have made, this Court is of the opinion that no fruitful purpose would be served in keeping it pending, rather ends of justice would serve if the petition is disposed of with a direction to the respondents No.1 & 2 to take a decision at the earliest in respect of the claim of the petitioners, so far as the arrears of payment and also with regard to the revised retiral and pensionary benefits that would be payable to the petitioners, if it is found that they are entitled for the same and which have been given to the other similarly placed employees, who are still working.

6. Let this exercise be concluded within a period of 4 months from the date of receipt of the copy of this order.
7. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved