

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 426 of 2020**

- Jawahar Lal Trivedi S/o Late Shri Tirath Prasad Trivedi Aged About 60 Years R/o Radhe Krishna Ward No. 24, Kumahar Para, Mahasamund, District : Mahasamund, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, General Administration Department , Mantralaya, Mahanadi Bhawan, Atal Nagar, District : Raipur, Chhattisgarh
2. The Secretary Transport Department , Mantralaya , Mahanadi Bhawan, Atal Nagar, District : Raipur, Chhattisgarh
3. The Secretary School Education Department , Mantralaya , Mahanadi Bhawan Atal Nagar, District : Raipur, Chhattisgarh
4. The District Education Officer Mahasamund, District : Mahasamund, Chhattisgarh
5. Chhattisgarh Infrastructure Development Corporation Through Its Managing Director, C.I.D.C., Shastri Chowk, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner : Shri K.P.S. Gandhi, Advocate

For Respondents-State : Shri Avinash Singh, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20.01.2020**

1. Learned counsel for the petitioner would submit that the petitioner was working in the erstwhile M.P.S.R.T.C., however after creation of the State of Chhattisgarh a separate Road Transport Corporation was not constituted in the State of Chhattisgarh, therefore, his services were placed in the control of respondent/Chhattisgarh Infrastructure Development Corporation (for short 'C.I.D.C.'). He would further submit that the State Government has

issued number of circulars deciding to absorb services of the employees working in the erstwhile M.P.S.R.T.C in various Corporation/Mandals in the State of Chhattisgarh and in furtherance of the said policy several employees have already been absorbed.

2. Learned counsel would further submit that for the present, the petitioner would confine his prayer for issuance of direction to the respondents to take a decision on the representation pending before the said authority. He is restricting the prayer in view of the order passed by this Court in the matters of **O.P. Singh Vs. State of Chhattisgarh & others¹**, **Abdul Hakim Vs. State of Chhattisgarh & others²**, **Uttam Kumar Sharma Vs. State of Chhattisgarh & others³**, **Raju Pandey & others Vs. The State of Chhattisgarh & others⁴**, **Nandkumar Vaishnav & others Vs. The State of Chhattisgarh & others⁵** and **Chandrayan Singh Thakur & others Vs. The State of Chhattisgarh & others⁶**.
3. In view of the above, the writ petition is disposed of with a direction that in the event, the petitioner submits fresh representation before the competent authority of the respondents within a period of four weeks, the said authority shall consider and decide petitioner's representation in an objective manner keeping in view the circular issued by the State Government from time to time, as also the orders of absorption passed with respect to the similarly placed employees, as early as possible, preferably within a period of three months from the date of submission of representation.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its

1 WP (S) No.5521/2010
 2 WP (S) No.473/2013
 3 WP (S) No.476/2013
 4 WP (S) No.1220/2013
 5 WP (S) No.1458/2013
 6 WP (S) No.2128/2013

own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

5. With the above observation, the writ petition is finally disposed of.

**Sd/-
(Goutam Bhaduri)
Judge**

yasmin