

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1589 of 2020**

Rakesh Sharma S/o Late M.L. Sharma Aged About 61 Years Presently Working As Chief Municipal Officer (CMO) In Nagar Panchayat Bodari, Bilaspur, District-Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, District- Raipur, C.G.
2. State Of Chhattisgarh Through Secretary, Department Of Transport, Mantralaya, Mahanadi Bhawan, Atal Nagar, District- Raipur, C.G.
3. The Director, Directorate Of Urban Administration And Development Department, Indrawati Bhawan, New Raipur, C.G.
4. The Managing Director, Chhattisgarh Infrastructure Development Corporation Ltd. (C.I.D.C.) Shashri Chowk, Raipur, District- Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sushil Dubey, Advocate.
For State	:	Shri Kunal Das, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/03/2020**

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 has not been constituted in the State of Chhattisgarh, therefore, his service was 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. He is restricting his 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. Learned State counsel do not oppose the fact that similar issue has been decided in WPS No. 3149 of 2015.

4. In view of the above, the writ petition is disposed of with a direction that in the event, the petitioner submit 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.

5. It is made clear that this Court has not expressed any opinion on the merits

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

of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

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

Sd/-

(Goutam Bhaduri)
Judge