

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3187 of 2020**

- Pratap Singh Rathiya S/o Shri Dukhiram Rathiya Aged About 66 Years Resident Of Village And Post Hati, Tahsil Dharamjaigarh, Police Station Chhal District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, (Resham Department) Rural Industries Mantralay, Mahanadi Bhawan, Atal Nagar District New Raipur Chhattisgarh.
2. The Director, Directorate Of Rural Industries, (Resham Department) Chhattisgarh, Indrawati Bhawan, Block 1, 4th Floor, Atal Nagar District Raipur Chhattisgarh.
3. Joint Director (Resham), Circuit House Road, Urdana, District Raigarh Chhattisgarh.
4. Joint Director, Treasury Account And Pension, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner : Ms. Varsha Sharma, Advocate

For Respondents/ State : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**ORDER****18.08.2020**

1. Learned counsel for the petitioner contends that the petitioner joined the services on 1986 thereafter he was regularized by order dated 27.09.2008 and subsequently retired on 31.08.2016. It is stated that the issue is covered by the judgment passed by the coordinate Bench of this Court in WPS No. 6722 of 2019 dated 02.09.2019.

2. Learned State counsel do not object to the fact that the issue is covered by the judgment passed in WPS No. 6722 of 2019.
3. This Court in WPS No. 6722 of 2019 dated 02.09.2019 has passed the following orders:-
 2. Learned counsel for the parties would jointly and fairly submit that the matter in issue is covered by the common order dated 26.2.2015 passed by the Division Bench of this Court in WA No.281 of 2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh and others) and other connected writ appeals. Against the said order, the State travelled up to the Supreme Court by filing SLP (C) Nos.11541-11550/2016, which have been dismissed by the Supreme Court, affirming the order passed by the Division Bench of this Court. They would pray that this writ petition may also be allowed in the same terms.
 3. In view of the above joint statement made, the present writ petition is also allowed in terms of the common order dated 26.2.2015 passed by the Division Bench of this Court in WA No.281 of 2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh and others) and other connected writ appeals. Let the current pension of the petitioner be calculated and payment commenced preferably within a period of four weeks from the date of receipt and/or presentation of a copy of this order and the arrears to be paid within a period of 12 months from the date current pension starts.
 4. A copy of the order dated 26.2.2015 passed in WA No.281 of 2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh and others) and other connected writ appeals, be made a part of this record.
4. It is ordered accordingly, the ratio laid in the aforesaid case may also be applicable to the issue in hand.

Sd/-
Goutam Bhaduri
Judge