

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 728 of 2021**

1. Smt. Niyamati W/o Shri Parmanand, Aged About 68 Years R/o Khalbada Gudiyari Raipur, Tahsil And District Raipur, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration Mahanadi Bhawan Mantralaya, Naya Raipur Chhattisgarh
2. Municipal Corporation, Raipur, Through The Commissioner Municipal Corporation Raipur, District Raipur Chhattisgarh

**---- Respondents**


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|---------------------|---|---------------------------------------|
| For Petitioner      | : | Mr. Hemant Kumar Kesharwani, Advocate |
| For State           | : | Mr. Rahul Jha, Govt. Advocate         |
| For Respondent no.2 | : | Mr. Pankaj Agrawal, Advocate          |

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**Hon'ble Shri Justice P. Sam Koshy****Order on Board****19/02/2021**

1. The default pointed out by the Registry as of now stands ignored and with the consent of the parties, the matter stands disposed of at the motion stage.
2. The grievance of the petitioner is that the petitioner was appointed in the Municipal Corporation, Raipur on 01.01.1972 and eventually retired on 30.06.2013. It is stated that the claim of the petitioner for pension has been declined. It is further submitted that the issue raised in this petition is no more res integra in view of the order dated 26.02.2015 passed in the case of **Lakhanram Sahu and others Versus State of Chhattisgarh and others** W.A. No. 281 of 2013.

3. Learned counsel for the respondent Municipal Corporation submits that the matter can be disposed of in terms of the order passed in W.A. No. 281 of 2013.
4. In view of the aforesaid submission, the writ petition is disposed of in terms of the order passed in the case of **Lakhanram Sahu and others versus State of Chhattisgarh and others**. In the event if the case of the petitioner is identically placed as that of the petitioners in the case of Lakhanram Sahu (Supra) then 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 of current pension starts.
5. A copy of the order dated 26.02.2015 passed in WA No. 281 of 2013 (Lakhanram Sahu and Ors. Versus Chhattisgarh and other) and other connected writ appeals be made part of this record.

**Sd/-**  
**(P. Sam Koshy)**  
**Judge**

VAISHALI