

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1385 of 2021**

- Smt. Sukhni Bai Yadav W/o Horilal Yadav, Ex- Rasooya Class-IV Employee, Aged About 66 Years R/o Akhara Bhata Sakti Post Sakti District Janjgir Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Scheduled Tribe And Scheduled Caste Development, Mahanadi Bhawan, Nava Raipur, District Raipur (Chhattisgarh)
2. Assistant Director, Tribal Janjgir Champa (Chhattisgarh)
3. Joint Director, Treasury, Account And Pension, Janjgir Champa Chhattisgarh

---- Respondents**WPS No. 1422 of 2021**

- Smt. Triveni Bai Yadav W/o Late Ramadhar Yadav Ex-Rasooya, Class - IV Employee Aged About 66 Years, R/o Akhara Bhata Sakti, Post- Sakti, Dist.- Janjgir-Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Scheduled Tribe And Scheduled Caste Development, Mahanadi Bhawan, Nava Raipur, Distt.- Raipur (Chhattisgarh)
2. Assistant Director Tribal, Janjgir Champa (Chhattisgarh)
3. Joint Director Treasury, Account And Pension, Janjgir Champa (Chhattisgarh)

---- Respondents**WPS No. 1511 of 2021**

- Ganga Bai Yadav W/o Late Santram Yadav Ex-Sewika, Class-IV Employee Aged About 73 Years, R/o Akhara Bhata Sakti Post Sakti District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Scheduled Caste And Scheduled Tribe Development Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Assistant Director Tribal Janjgir Champa Chhattisgarh
3. Joint Director Treasury, Account And Pension, Janjgir Champa Chhattisgarh

---- Respondents

For Petitioners : Mr. Ishwar Jaiswal, Advocate

For Respondents-State : Mr. Kapil Maini, PL and Mr. Shakti Singh Thakur,
PL for the State

Hon'ble Shri Justice P. Sam Koshy

Order On Board

25.03.2021

1. Since, the claim of the petitioners in all these three writ petitions are common and these are being disposed off by this common order.
2. The petitioner grievance is that they all initially engaged as a daily wage employee and after working for a considerable long period of time, all three petitioners were regularized in service vide order dated 10.10.2008. Subsequently, the petitioners are retired from service on 30.06.2017, 30.04.2017 and 30.04.2010 respectively. Whereby, it would establish that the petitioners had put in, some amount of service as regular employee of the State Government and in the process they were entitled for all the benefits under the service rules governing the field including that of the benefits of leave more particularly the earned leave which was encashable. The petitioners on their retirement have received all other retiral dues like gratuity and pension etc. but the amount payable to them towards leave

encashment has not been either processed or paid to them till now.

3. Given the limited grievance of the petitioners that as regards non releasing of the leave encashment the three writ petitions at this juncture stands disposed of directing the respondents to immediately process the claim of the petitioners and take an appropriate decision after due verification of the service records. The service benefits whatever entitled for, particularly in respect of the leave encashment, more particularly the fact that all the petitioners had retired from service as a regular employee of the State Government having been regularized by a common order dated 10.10.2008. Let the decision in this regard and if they are found entitled for the payment of leave encashment the same be also finalized and paid at the earliest within a period of 90 days from the date of receipt of copy of this order.

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