

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 1759 of 2021

1. Ganpat S/o Chatur Aged About 67 Years R/o Khalbada Near Gudiyari Petrol Pump, Raipur, Tahsil And District Raipur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department of Urban Admistretion Mahanadi Bhawan, Atal Nagar, Mantralaya, Raipur Chhattisgarh.
2. Municipal Corporation Raipur Through The Commissioner Municipal Corporation Raipur District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Hemant Kesharwani, Advocate.
For Respondent-State	:	Ms. Abhyunnati Singh, Panel Lawyer.
For Respondent No.2	:	Shri HB Agrawal, Sr. Advocate along with Shri Amit Tirkey, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.07.2021

1. The grievance of the petitioner is non settlement of the pensionary benefits payable to the petitioner. The claim of the petitioner is made in the light of Division Bench judgment of this Court in case of Lakhanram Sahu and others Versus State of Chhattisgarh and others, Writ Appeal No.281 of 2013, decided on 26.02.2015.
2. The petitioner was working as Safai Karmi under the Municipal Corporation, Raipur since 1984 and retired from service on 30.06.2015. In the year 2008 the services of the petitioner was regularized under the Corporation.
3. Perusal of record would show that the petitioner till date has not approached the respondents by any representation in respect of his claim and straightway now has filed the writ petition after more than 7 years of his retirement.

4. Given the facts that till date the petitioner has not approached the department, let the petitioner approach the respondent No.2 by way of a representation to be made within two weeks from today, and on receipt of such representation the respondent No.2 shall consider and decide the same in accordance with rules, regulations and law governing the field at the earliest preferably within a further period of 90 days from the date of receipt of representation.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder