

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4883 OF 2021**

- Mohammad Ismile, S/o Late Shri Idu Khan, aged about 52 years, R/o Village Barela, Awaspara, Post Barela, Police Station Jarhagaon, District Mungeli (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur (CG)
2. Secretary, Transport Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur (CG)
3. Brigadier, Officer Incharge, Directorate, National Cadet Core (NCC) (State), Chhattisgarh, Raipur, District Raipur (CG)
4. Commanding Officer, 27 Chhattisgarh Battalion, NCC, Raipur, District Raipur (CG)
5. Chhattisgarh Infrastructure Development Corporation (C.I.D.C), through Managing Director, C.I.D.C., Shastri Chowk, Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Mr. S.P. Kale, Advocate.
For Respondent-State	:	Mr. Ishan Verma, Panel Lawyer.
For Respondent-CIDC	:	Mr. Anup Majumdar, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****[14/09/2021]**

1. Ignoring the defaults pointed out by the Office in the instant case, the matter was heard finally at admission stage itself with the consent of learned Counsels appearing for the parties.
2. Petitioner in the present Writ Petition is aggrieved of the inaction on the part of Respondents in not considering his claim for being absorbed under Respondent No.3.
3. Petitioner is originally an employee of the erstwhile Madhya Pradesh State Road Transport Corporation (M.P.S.R.T.C.). However, after the bifurcation of the State of Chhattisgarh, since there was no State Road Transport Corporation established in the State of Chhattisgarh, the Petitioner's services were brought in and placed under the control of the Chhattisgarh Infrastructure Development Corporation (C.I.D.C.).

Thereafter, the C.I.D.C. in turn had sent the Petitioner on deputation to the office of Respondent No.3 where the Petitioner is working since 14.6.2013 onwards.

4. Learned Counsel for Petitioner drew the attention of this Court to the policy decision taken by the State Government whereby they have ordered absorption of the persons who originally were the employees of M.P.S.R.T.C. and subsequently placed under the control of C.I.D.C. and were sent on deputation to different Departments of the State Government.

5. Learned Counsel for Petitioner further submits that the State Government in the past has absorbed the services of many State Government employees who are in deputation to the different Departments of the State Government. However, for reasons best known to them, the case of Petitioner was not processed for being absorbed under the Respondent No.3.

6. Given the limited dispute that Petitioner has and the fact that the policy decision of the State Government specifically warrants absorption of the employees of M.P.S.R.T.C. to the different Departments of the State Government, the present Writ Petition at this juncture is disposed of directing the Respondents No.1, 3 & 5 to take appropriate decision considering the claim of Petitioner for being absorbed.

7. Let appropriate decision in this regard be taken by Respondents No.1, 3 & 5 within an outer limit of four months from the date of receipt of copy of this Order.

8. Writ Petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge