

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WRIT PETITION (S) NO. 4909 OF 2021**

- Balram, S/o Shri Lakhpati, aged about 67 years, R/o Village Kandola, Post Bandha, Police Station Sariya, Tahsil Baramkela, District Raigarh (CG)

**... Petitioner****versus**

1. State of Chhattisgarh, through the Secretary (Resham Department), Rural Industries, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. The Director, Directorate of Rural Industries (Resham Department), Chhattisgarh, Indrawati Bhawan, Block 1, 4th Floor, Atal Nagar, Nawa Raipur, District Raipur (CG)
3. Joint Director (Resham), Circuit House Road, Urdana, District Raigarh (CG)
4. Joint Director, Treasury, Account and Pension, Bilaspur, District Bilaspur (CG)

**... Respondents**

|                 |   |                                       |
|-----------------|---|---------------------------------------|
| For Petitioner  | : | Ms. Varsha Sharma, Advocate.          |
| For Respondents | : | Ms. Akanksha Jain, Dy. Govt. Advocate |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****[20/09/2021]**

1. Petitioner in the present Writ Petition seeks for an appropriate direction to Respondents to consider his claim for grant of arrears on salary and also for grant of pensionary benefits, gratuity and leave encashment.
2. Claim of Petitioner seems to be on the basis of the Chhattisgarh (Worked Charged and Contingency Paid Employees) Pension Rules, 1979. Claim of Petitioner also seems to be in the light of the judgment rendered by the Hon'ble Supreme Court in the case of "Ram Naresh Rawat Vs. Ashwini Ray" [2017(3) SCC 436].
3. From perusal of pleadings in the Writ Petition, it is not reflected as to whether the initial engagement of Petitioner was under the Contingency establishment or not, so as to bring the services within the purview of the aforesaid Rules of 1979.

4. However, considering the fact that Petitioner was a low paid employee, the present Writ Petition at this juncture is disposed of directing the Respondents to consider the claim of Petitioner after due verification of the status of Petitioner so far as his initial appointment is concerned and on due verification his claim for gratuity, leave encashment and also pensionary benefits be considered and decided at the earliest, preferably within a period of four months from the date of receipt of copy of this Order.

5. Writ Petition accordingly stands disposed of.

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

/sbarad/