

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5917 of 2021**

1. Ishwar Prasad Sirmor S/o Shri D.S. Sirmor, Aged About 63 Years Retired From The Post Of Sub Engineer, Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Finance, Mahanadi Bhawan, Mantralaya, New Raipur, Atal Nagar, Police Station Rakhi, District Raipur Chhattisgarh,
2. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station Rakhi, District Raipur Chhattisgarh,
3. The Vice Chancellor, Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur (Chhattisgarh) Pin Code- 492012,
4. The Registrar, Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur (Chhattisgarh) Pin Code 492012,
5. Superintendent Engineer, Physical Plant, Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur (Chhattisgarh) Pin Code 492012,

----Respondents

For Petitioner	:	Mr. Harshwardhan Parganiha, Advocate.
For State	:	Mr. Lalit Jangde, Dy. G.A.
For Res. No. 3 to 5	:	Mr. Priyankesh Chandrakar, on behalf of Shri Shashank Thakur, Advocates.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****01.11.2021**

1. The limited grievance that the petitioner has in the present writ petition is the inaction on the part of the respondents in not processing the release of payment of gratuity and the pensionary benefits which the petitioner is entitled for.
2. According to the petitioner, he was initially an employee on contractual basis,

with the respondents and has since been regularized in the services of the respondents No. 3 to 5 vide order dated 08.09.2008. That since then, the petitioner discharged his duty with the respondents uninterruptedly till the date of retirement on 30.06.2021. However, thereafter the gratuity and pensionary benefits have not been released till date. Counsel for the petitioner also tried to canvass his claim for counting the services rendered as a contractual employee for the purpose of determining the gratuity and pensionary benefits. At the first instance, this Court would like to dispose of the writ petition directing the respondents No. 3 to 5 for immediately processing the claim for gratuity and pension to the petitioner which he is otherwise entitled for under the service rules governing the field at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

3. So far as, the second prayer of the petitioner for counting the services of contractual engagement for the purpose of determining the length of service for gratuity and pension, this Court permits the petitioner to make a suitable representation in this regard to the respondents No. 3 to 5 within a period of two weeks, which upon being made, the respondents may consider and decide the same within the same period of 90 days. In case if the representation of the petitioner stands decided detrimental to the interest of the petitioner, he would still have the liberty to approach this court again ventilating his grievance

4. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge