

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6276 of 2021

1. Ratan Yadav S/o Late Shri Jhaduram Yadav Aged About 63 Years Retired Employee, Municipal Corporation, Bilaspur, R/o Chantidih Melapara, P.S. Sarkanda, Tah And Distt. Bilaspur Civil And Revenue Distt. Bilaspur, District : Bilaspur, Chhattisgarh
2. Smt. Shanti Yadav W/o Shri Parmeshwar Yadav Aged About 65 Years Retired Employee, Municipal Corporation, Bilaspur, R/o Behind Town Hall, Bilaspur P.S. Civil Lines, Tah And Distt. Bilaspur (C.G.), District : Bilaspur, Chhattisgarh
3. Kishan Kumar Denial S/o Shri John Deniel, Aged About 63 Years Retired Employee, Municipal Corporation, Bilaspur R/o Vijaypuram, P.S. Sarkanda, Tah. And Distt. Bilaspur (C.G.), District : Bilaspur, Chhattisgarh
4. Smt. Kunti Prajapati W/o Late Ramdulare Prajapati Aged About 62 Years Retired Employee, Municipal Corporation, Bilaspur R/o Jarhabhata Bilaspur, P.S. Civil Lines, Tah And Distt. Bilaspur (C.G.), District : Bilaspur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Urban Administration Department Mahanadi Bhavan, Mantralay, Atal Nagar, Raipur (Cg), District : Raipur, Chhattisgarh
2. The Director Urban Administration Department, Mahanadi, Bhavan, Mantralay, Atal Nagar, New Raipur (Cg), District : Raipur, Chhattisgarh
3. The Municipal Corporation Bilaspur Through, The Commissioner, Bilaspur Distt. Bilaspur (Cg), District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. M.K. Sinha, Advocate
For Respondent/ State	:	Mr. Ravi Maheshwari, P.L.
For Respondent No. 3	:	Mr. Pankaj Agrawal, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.11.2021

Heard.

1. The grievance of the petitioners is that the petitioners stand retired after rendering services with the respondent No.3 and they are entitled for the payment of gratuity as per the circular dated 24.05.2018 which purports that

the employees who have been regularized under the Work Charged/Contingency establishment and worked for 5 years, they are entitled for gratuity amount from the date of initial appointment under the provision of Payment of Gratuity Act, 1972.

2. It is contended that the petitioners No. 1 to 3 were regularized in the services as per the circular of the State Government and the husband of the petitioner No. 4 Ramdulare Prajanti was also accordingly regularized and therefore they are entitled for the gratuity.
3. Learned counsel for the respondent No. 3 submits that the case of the each of the petitioners have to be individually scrutinized and thereafter their entitlement would be decided.
4. Considering the submissions made by both the counsel, each individual petitioner is given liberty to make a representation to Respondent No. 3 with the necessary supportive documents within 3 weeks from today so that their individual claim can be scrutinized. The representation so filed shall be decided within a period of 6 months from the date of receipt of a copy of the representation according to the circular of the State Government dated 24.05.2018. The petitioners shall also be at liberty to attach the circular of the State Government dated 24.05.2018 along with their representations.
5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge