

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 24 of 2021**

1. S. P. Jaiswal S/o Late R. Jaiswal Aged About 73 Years Retired Sambarg Officer, Grade - 1, C.G. State Co-Operative Bank Ltd. Raipur A Resident Of Shed No. 2, Narmada Nagar, In Front Of Chandni Apartment P.S. City Kotwale, P.O. Narmada Nagar, Tehsil And District Bilaspur Chhattisgarh
2. R.S. Bisht S/o Late S.S. Bisht Aged About 74 Years Retired General Manager (Special Grade, C.G. State Co-Operative Bank Ltd., Raipur A Resident Of 16/454 Vidya Nagar, Bilaspur, Chhattisgarh
3. R. G. Upadhyay S/o Late R.K. Upadhyay Aged About 74 Years Retired Sambarg Officer, Grade li, C.G. State Co-Operative Bank Ltd., Raipur, A Resident Of Plot No. 304, Block No. B, Shivam Residency, P.O. Mangla Chowk, P.S. Civil Line, Tehsil And District Bilaspur, Chhattisgarh
4. R.S. Khati S/o Late Kishan Singh Khati Aged About 75 Years Retired Branch Manager, Bhilai Branch, C.G. State Co-Operative Bank Ltd., Raipur A Resident Of Flat No. 507, Dwarka Palace, Opposite Samar Park Colony, Niparia, Indore, Madhya Pradesh, 452010

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary To The Govt. Department Of Co -Operative Societies, Mantralay, Mahanadi Bhawan, Naya Raipur, Atal Nagar, Raipur Chhattisgarh
2. Chhattisgarh State Co -Operative Bank Maryadit Through Managing Director Chhattisgarh State Co-Operative Bank Ltd. Head Office, Sahakar Bhawan, Plot No. 74, Sector - 24, Atal Nagar, Naya Raipur 492002., District : Raipur, Chhattisgarh
3. The Registrar Co-Operative Societies, Chhattisgarh Indrawati Bhawan, Naya Raipur, Atal Nagar Raipur., District : Raipur, Chhattisgarh
4. Managing Director Chhattisgarh State Co-Operative Bank Ltd. Head Office, Sahakar Bhawan, Plot No. 74, Sector 24, Atal Nagar Naya Raipur 492002., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. D. K. Swain, Advocate
For State	:	Mr. Shreshtha Gupta, PL

Hon'ble Shri Justice P. Sam Koshy
Order on Board

28/01/2021

1. The claim of the petitioner in the present writ petition is in respect of non granting of the interim relief for the period 01.01.2001 to 01.04.2001 and also non releasing of the payment of gratuity, leave encashment, surrender of leave etc. as per the revised pay scale along with interest.
2. Claim of the petitioner has been on the basis of a judgment passed by this Court in WPS 2390/2019 which was decided on 09.03.2020. According to the petitioners they are identically placed and benefit has been extended to those persons who had approached this Court and are not being extended to those persons who have not approached this Court. Unnecessarily the petitioners in spite of being in advance stage of their life have been forced to go to High Court for getting the relief. According to the petitioners they are only praying for the relief on parity basis and for which the petitioners had already made repeated representations to the respondents No.2 & 4 but till date no decision as such has been taken by the authorities concerned.
3. Without entering into the merits of the case, so far as the entitlement of the petitioner is concerned subject to the verification of fact whether they are similarly situated or not, the writ petition at this stage stands disposed of directing the respondent No.2 & 4 to consider and decide the claim of the petitioner so far as grant of interim relief for the period of 01.01.2001 to 01.04.2001 and also for grant of payment of Gratuity, leave encashment, surrender of leave on the revised scale of pay at the earliest.

4. Let a decision be taken by the respondent no.2 &4 within a period of 60 days from the date of receipt of copy of this order.
5. While taking a decision the respondents shall keep in view the judgment of this Court dated 09.03.2020 passed in WPS 2390/2019.
6. It shall be the responsibility of the petitioners to apprise the respondent no.2 & 4 so far as order passed by this Court is concerned.
7. With the aforesaid observations, the present Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit