

(2025) 02 CHH CK 0805

In the Chhattisgarh High Court

Case No : WP(S) 1204 Of 2025?WP(S) 1204 Of 2025

Agas Ram Verma

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 13-02-2025

Acts Referred:

Citation : (2025) 02 CHH CK 0805

Hon'ble Judges : Amitendra Kishore Prasad, J

Bench : Single Bench

Advocate : Nilu Kumari Singh, Soumitra Kesharwani

Final Decision : Disposed Of

Judgement

Amitendra Kishore Prasad, J

1. By filing this petition, the petitioners have prayed for following reliefs:

"10.1 That this Hon'ble court may kindly be pleased to allow the writ petition and be pleased to issue an order/direction to the respondent authorities to grant the benefit of leave encashment to the petitioners.

10.2 That, this Hon'ble court may kindly be call for the records for its kind perusal which relates to petitioner's matter.

10.3 Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favour of the petitioners."

2. Learned counsel for the petitioners submits that petitioners No.1 to 5 and husbands of petitioners No.6 to 10 were working as work charged contingency paid employees in the Water Resources Department. Initially, they were employed on temporary basis, thereafter, their services were regularised. After completion of age of superannuation, they retired from the services. Now husbands of petitioners No.6 to 10 have expired. The respondents authorities granted pension and gratuity to the petitioners, but, benefit of leave encashment

is not granted to them. It is the claim of the petitioners that in light of the judgment passed by this Court on 30.9.2022 in Writ Petition (S) No.3870 of 2021 (Faguvaram Patel and others v. State of Chhattisgarh and others) and other connected matters, the petitioners are entitled for leave encashment.

3. Learned counsel appearing for the State/respondents submits that sufficient documents have not been filed by the petitioners and it is also not reflected as to whether petitioners No.1 to 5 and husbands of petitioners No.6 to 10 have completed the minimum period of service to avail the benefit of leave encashment.

4. I have heard the arguments raised on behalf of the parties and perused the documents available.

5. Be that as it may, without commenting anything on merits of the case, the instant writ petition is disposed of giving liberty to the petitioners to make a detailed representation before the concerned respondent/competent authority within a period of 30 days from the date of receipt of a copy of this order with all necessary documents to substantiate their claim. In the event of filing of representation, on due verification, if the petitioners are found to be similarly situated persons, as in the case of Faguvaram Patel (supra), their claim shall be decided by the respondents authorities in light of the judgment of Faguvaram Patel (supra) expeditiously preferably within a period of 90 days from the date of submission of the said representation.

6. Accordingly, the writ petition stands disposed of with the aforesaid observations and directions.