

(2019) 02 CHH CK 0125
In the Chhattisgarh High Court
Case No : Writ Petition (S) No. 837 Of 2019

Jainarayan Kashyap And Ors

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 08-02-2019

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2019) 02 CHH CK 0125

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : C.J.K. Rao, Rahul Mishra

Final Decision : Disposed Of

Judgement

P. Sam Koshy, J

1. Ignoring the default as pointed out by the Registry, with the consent parties, the writ petition disposed of finally.

2. The present writ petition has been filed seeking for a direction to the respondents to consider the claim of the petitioners for grant regular pay scale on their completing three years of service as daily wage employee.

3. Counsel for the petitioners submits that all these petitioners have since retired from service. They were all initially appointed prior to 1990 as daily wage employee and in due course of time, they were regularized in the year 2008 and have since retired.

4. The Grievance of the petitioners is that under the rules, the daily wage employees who have completed three years of service should receive the regular pay scale under the work charge contingency establishment which has not been given to any of the petitioners in the present writ petition.

5. A perusal of record would show that the petitioners till now have not made any representation while they were in service in respect of their claim

and have now at this belated stage approached this Court under Article 226 of the Constitution of India.

6. Thus, at this juncture this Court is not inclined to entertain the writ petition. Reserving the right of the petitioners to make a suitable representation to

respondent No 3 who in turn shall consider and scrutinize the claim of the petitioners, the writ petition stands disposed of. If the petitioners 3 are found

entitled for the benefit, the same be extended to them and if they are not entitled for the benefit, they be suitably intimated as to why they would not be

entitled for the said benefit .

7. With the aforesaid observations the writ petition stands disposed off.