

(2024) 08 CHH CK 0055
In the Chhattisgarh High Court
Case No : WP(S) 5161 Of 2024

Kishan Lal Patel

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 28-08-2024

Acts Referred:

Citation : (2024) 08 CHH CK 0055

Hon'ble Judges : Sachin Singh Rajput, J

Bench : Single Bench

Advocate : Raj Shengale, Shaleen Singh Baghel

Final Decision : Disposed Of

Judgement

Sachin Singh Rajput, J

1) Learned counsel for petitioners submits that petitioner Nos.1 to 11, 13, 15, 16, 17 & 19 and husband of the petitioner Nos.12, 14, 18 & 20 stood retired as Work Charged/Contingency Paid Employees. He would further submits that the petitioners are entitled for leave encashment but till date respondents have not extended the benefit of leave encashment to petitioners. He stated that an identical issue has already been come up for hearing before this Court bearing Writ Petition (S) No.3870 of 2021 (Faguvaram Patel & Ors. Vs. State of Chhattisgarh & Ors.). In the light of Faguvaram (supra) the petitioners have raised identical issue which may be allowed in their favour. He submits that, at this stage, petitioners may be permitted to submit representation before the respondents/ competent authority and respondents/competent authority may be directed to consider and decide the representation of petitioners expeditiously within specific period as fixed by this Court.

2) Learned State counsel submits that as the petitioners are not pressing this petition on merits and are only seeking a direction to decide the representations to be submitted by petitioners, at this stage, he is having no objection.

3) I have heard learned counsel for parties and perused the documents available in record.

4) Taking into consideration the limited prayer made by learned counsel for petitioners, without commenting anything on the merits, this petition is disposed of in light of Faguvaram Patel (Supra) giving liberty to the petitioners to make detailed representation before the concerned respondent/competent authority within the period of '15 days' from the date of receipt of copy of this order. In the event, the petitioners are found to be similarly situated persons, their claim shall be decided by the respondents in accordance with the relevant rules and law expeditiously preferably within the period of 'three months' from the date of submission of the said representation.

5) Accordingly, this petition is disposed of with aforesaid observations and directions. All the pending applications are also disposed of C.C. as per rules.