



2025:CGHC:39808



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4275 of 2019

Janakram Sahu S/o Late Shri Ajit Ram Sahu Aged About 64 Years R/o Village Khargahni, Post- Lamer, Tehsil- Kargiroad (Kota), Police Station- Kota, District- Bilaspur, Chhattisgarh.

... **Petitioner****versus**

1 - State Of Chhattisgarh Through Additional Chief Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District- Raipur, Chhattisgarh.

2 - Principal Chief Conservator Forest Officer Forest Department, Aranya Bhawan, North Block, Sector-19, Atal Nagar, Raipur, District- Bilaspur, Chhattisgarh.

3 - Director Tresury, Accounts And Pension Department, Raipur, District- Raipur, Chhattisgarh.

... **Respondents**

For Petitioner : Mr. Abhishek Singh, Advocate on behalf of Mr. Lav Sharma, Advocate

For Respondents/State : Ms. Mandvi Bharadwaj, Panel Lawyer

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order On Board

08.8.2025

1. The petitioner has preferred instant writ petition under Article 226 of the Constitution of India, seeking following relief(s):-

10.1 Hon'ble Court may kindly be please to direct Respondent authorities to calculate pension and arrears of pension from the date of initial appointment 20/07/1975 to the Petitioner and interest upon it at the rate of 12% per month till the date of payment. Hon'ble Court may further direct respondent authority to pay 100% pension to the petitioner with interest.



10.2 Hon'ble Court may kindly be pleased to direct Respondent authorities to pay leave encashment to the petitioner with 12% interest.

10.3 Any other relief may also be granted to the Petitioner which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

10.4 That the cost of the Petition be granted.

2. Learned counsel for the petitioner submits that in the instant petition, the petitioner is seeking relief of adding his past service prior to his regularization. He further submits that this issue is under consideration before the Hon'ble Apex Court. In a bunch of writ petition bearing WPS No.10696/2019 (Bhagbali Kashyap vs. State of Chhattisgarh & Ors.) and other connected matters, the Coordinate Bench has disposed of the writ petitions observing therein that fate of the SLP (C) No.8677-8678/2023 shall govern the issue involved in the those cases. Therefore, he submits that this petition may also be disposed of on similar observations.

3. Learned counsel for the State would submit that against the orders passed by the Hon'ble Singh Bench as well as Hon'ble Division Bench, the State has filed SLP (Civil) Nos. 8677-8678/2023 before the Hon'ble Supreme Court, wherein the Hon'ble Supreme Court has stayed the orders passed by the Hon'ble Singh Bench and Hon'ble Division Bench of this Court. The operative part of the order reads as under:-

“Delay condoned. Issue notice to the respondents. In the meanwhile, there shall be interim stay on the impugned order.”

Thus, he would pray for keeping the proceeding in abeyance.

4. Considering the contention of both the parties that the issue involved in



the instant petition and the issue raised in various other writ petitions is squarely covered with the issue which is already pending before the Hon'ble Supreme Court. Therefore, I am of the view that there is no justifiable reason to keep this petition pending.

5. Accordingly, this writ petition is disposed of with a direction that the judgment passed by the Hon'ble Supreme Court in SLP (C) No.8677-8678/2023 will be applicable *mutatis mutandi* in the facts and circumstances of the case of the petitioner and his entitlement to get additional pension will be governed by the decision of Hon'ble Supreme Court in SLP (C) No.8677-8678/2023. It is also directed that if SLP (C) No.8677-8678/2023 is decided in favour of the petitioner, the respondents shall extend the benefit to the petitioner without any further delay. It is also directed that if the grievance of the petitioner still exists, the petitioner shall be at liberty to file a fresh petition raising his grievances.

6. With aforesaid observation and direction and liberty granted to the petitioner, this writ petition stands disposed of.

7. Pending interlocutory applications, if any, stand disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge