



CGHC010251772019



2026:CGHC:31961

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6141 of 2019

Mohan Singh Thakur S/o Late Ganesh Singh Thakur Aged About 62 Years
R/o Mukam Post Samni, Tahsil And District Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh

... **Petitioner(s)**

versus

1 - The State Of Chhattisgarh Through It Secretary, Panchayat And Rural Department, Mantralay, Atal Nagar, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh

2 - Commissioner Cum Director Panchayat Sanchanalaya, Atal Nagar, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh

3 - Chief Excutive Officer Zila Panchayat, District Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh

4 - Chief Excutive Officer Janpad Panchayat, Dongargarh, District Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh

--- **Respondent(s)**

For Petitioner : Mr. Pranjal Shukla, Advocate

For State/Respondents No. 1 & 2 : Mr. Amit Buxy, Dy. G.A.

Respondents No. 3 & 4 : None

Hon'ble Shri Sanjay K. Agrawal, Judge
Order on Board

28.07.2026

1. The present writ petition has been filed challenging the office memorandum dated 11.05.2018 (Annexure P/4), whereby the petitioner has been denied payment of pension on the ground that the Panchayat Raj Adhiniyam, 1993 does not provide for the grant of pension to its employees.



2. Learned counsel for the petitioner submits that the petitioner was appointed on 05.04.1997 and retired on 30.06.2018 after rendering more than 21 years of continuous service. Despite having completed the requisite qualifying service, the respondents have denied him pension solely on the ground that the Panchayat Raj Adhiniyam, 1993 does not provide for a pension scheme for employees of the Zila Panchayat and Janpad Panchayat.
3. It is further submitted by the learned counsel for the petitioner that the impugned office memorandum dated 11.05.2018 has been issued without considering the provisions of the Chhattisgarh Civil Services (Pension) Rules, 1976, which govern the entitlement of the petitioner to pension. It is contended that the petitioner fulfills the qualifying service prescribed under the said Rules and is, therefore, entitled to pension as a matter of right. Learned counsel further submits that respondent No. 4 had itself issued an office order dated 10.09.2015 approving pension for its employees and has also granted pension to several similarly situated employees, therefore, denial of the same benefit to the petitioner is arbitrary. Accordingly, it is prayed that the impugned office memorandum dated 11.05.2018 deserves to be set aside, with a direction to the competent authority to reconsider the petitioner's claim by passing a reasoned and speaking order in accordance with law.
4. Learned State counsel submits that the impugned order has been passed by the competent authority in accordance with the provisions of the Panchayat Raj Adhiniyam, 1993. It is further submitted that the petitioner's grievance is essentially against respondent Nos. 3 and 4, whereas the State is only a formal party to the present proceedings.



Accordingly, it is prayed that the writ petition, being devoid of merit, deserves to be dismissed.

5. I have learned counsel for the parties and perused the records.
6. A careful perusal of the impugned office memorandum dated 11.05.2018 reveals that the petitioner's claim for pension has been rejected solely on the ground that the Panchayat Raj Adhiniyam, 1993 does not provide for grant of pension to the employees of the Janpad Panchayat. However, the competent authority has not examined the petitioner's entitlement under the applicable statutory provisions nor assigned any reasons while rejecting his claim. The impugned order, therefore, cannot be said to be a reasoned and speaking order.
7. Accordingly, the impugned office memorandum dated 11.05.2018 is set aside. The matter is remitted back to the Chief Executive Officer, Janpad Panchayat, Dongargarh, District Rajnandgaon, who shall reconsider the petitioner's claim with regard to his entitlement for grant of pension and pass a fresh reasoned and speaking order, in accordance with law, after affording an opportunity of hearing to the petitioner, preferably within a period of 45 days from the date of receipt of a copy of this order.
8. It is made clear that this Court has not expressed any opinion on the merits of the petitioner's claim
9. Accordingly, the present writ petitions stand disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge