



2026:CGHC:13383



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 11468 of 2025

1 - Smt. Rajkumari Sahu W/o Late Shivprasad Sahu Aged About 62 Years R/o Quarter No. D- 56, Yadunandan Nagar, District- Bilaspur (C.G.)

... Petitioner

Versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Energy, Mantralaya, Mahanadi Bhawan, New Raipur. District - Raipur (C.G.)

2 - The Managing Director Chhattisgarh Power Distribution Co.Ltd. CspdcI Raipur District- Raipur (C.G.)

3 - The Chief Engineer (Bilaspur Area) Chhattisgarh State Electricity Board CspdcI Bilaspur District- Bilaspur (C.G.)

4 - The Executive Director (Br) CspdcI Bilaspur District- Bilaspur (C.G.)

... Respondents

For Petitioner	:	Mr. Kamlesh Kumar Pandey, Advocate
For Respondents-State	:	Mr. Hariom Rai, Panel Lawyer
For Respondent No. 2 to 4	:	Mr. Abhyuday Singh, Advocate

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

20/03/2026

1. The petitioner has filed this writ petition seeking following reliefs:-

"10.1 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction directing the Respondents to grant pensionary benefits to the Petitioner under the Old Pension Scheme, applicable as on the date of her initial appointment i.e., 01.10.2003.



10.2 That, this Hon'ble Court may kindly direct respondent no.2 not to keep the Petitioner under the New Pension Scheme.

10.3 That, any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given."

2. Learned counsel for the petitioner submits that the petitioner was appointed as Peon on 01.10.2008 under the Work-Charged Establishment, since then, petitioner was continuously working. After attaining the age of superannuation, petitioner stood retired on 31.07.2005. He contended that according to the directives issued by the State Government, employees like the petitioners are entitled for the Old Pension Scheme as their appointment is prior to the cut-off date as per the fixation in the directives issued by the State Government i.e. 01.11.2004. In support of his contention, he places reliance upon the decision of the High Court of Punjab and Haryana in case of ***Harbans Lal Vs. The State of Punjab & Ors.*** reported in ***(2010) SCC OnLine P & H 8181***. He submits that in the aforementioned facts of the case, petitioner may be permitted to submit fresh comprehensive representation raising all the grounds as raised in this writ petition and direction be issued to the Respondents No. 2 to 4 to consider and take decision on the representation at the earliest within specified time frame.
3. On the other hand, learned counsel for the respective respondents would submit that as petitioner is not pressing this writ petition on merits and is only seeking a direction to the Respondents No. 2 to 4 to consider and take decision on the representation, the are having no objection to the limited prayer.
4. I have heard learned counsel for the parties and perused the documents placed on record.



5. On due consideration of the submission of counsel for the respective parties, facts and circumstances of the case, nature of grievance raised by the petitioner, without entering into the merits of the claim of petitioner, this writ petition at this stage is disposed of permitting the petitioner to submit comprehensive representation before the Respondents No. 2 to 4 and in the event petitioner submits representation, the concerned authority shall consider and take decision on the representation to be submitted by the petitioner on its own merits in accordance with law, expeditiously, preferably within a period of 08 weeks from the date of receipt of order.
6. With the aforesaid observation and direction, this writ petition stands **disposed of**.

Sd/-
(Parth Prateem Sahu)
Judge

Dey