



CGHC010231842026



2026:CGHC:27620

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 193 of 2026

1. Commissioner Municipal Corporation Raipur District Raipur C.G.
2. Zone Commissioner Zone No. 02. Municipal Corporation Raipur District Raipur C.G.

... **Petitioner(s)**

versus

1. Smt. Tesu (Dead) Through Lrs As per Hon'ble Court Order dated 26.06.2025
 - 1.1 - (A) Smt Reshama W/o Late Manoj Rexel Aged About 55 Years Daughter In Law Of Late Smt, Tesu And Shri Shyam R/o Behind Video World Modhapara Raipur District Raipur C.G.
 - 1.2 – (B) Ku. Bhavana D/o Late Manoj Raxel Aged About 28 Years Mother Smt, Reshma R/o Behind Video World Modhapara Raipur District Raipur C.G.
 - 1.3 - (C) Amit S/o Late Manoj Rexel Aged About 24 Years Mother Smt, Reshma R/o Behind Video World Modhapara Raipur District Raipur C.G.
 - 1.4 – (D) Abhishek S/o Late Manoj Raxel Aged About 17 Years Mother Smt Reshma Minor (Twins) Through Natural Guardian Mother Smt Reshma R/o Behind Video World Modhapara Raipur District Raipur C.G.
 - 1.5 – (E) Sadhna D/o Late Manoj Raxel Aged About 17 Years Mother Smt Reshma Minor (Twins) Through Natural Guardian Mother Smt Reshma R/o Behind Video World Modhapara Raipur District Raipur C.G.

... **Respondent(s)**

For Petitioners	:	Mr. Pankaj Agrawal, Advocate
For Lrs. of respondent No. 1	:	Ms. Pooja Sinha, Advocate holding the brief of Mr. Uttam Pandey, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

06.07.2026

1. This review petition has been filed by the petitioner for modification of order dated 21.04.2026 passed in WPS No. 4351 of 2018.

2. In the said case, submission was made by counsel for respondent herein to the effect that the issue involved in WPS No. 4351 of 2018 is squarely covered with the judgment passed by the High Court in batch of writ petitions leading case of which being WPS No. 10696 of 2019 and accordingly the petition was disposed of. It was also informed that the said order is subject matter of SLP (C) No. 8677-8678 of 2023, which is pending consideration before the Hon'ble Supreme Court, and therefore, it was observed that if SLP (C) No. 8677-8678 of 2023 is decided in favour of the employees, the employer shall extend the benefit of additional pension without any further delay.
3. Mr. Pankaj Agrawal, Advocate appearing for the review petitioners would argue that respondent No. 1 or his legal representatives are not entitled for pension. He would submit that the facts of WPS No. 4351 of 2018 and WPS No. WPS No. 10696 of 2019 were entirely different. He would submit that the respondent No. 1, who was an employee of petitioners herein was a member of Contributory Provident Fund (CPF), and therefore, he was not entitled for pensionary benefits and he had not completed 10 years of service, therefore, he was not entitled for any pensionary benefits. He would submit that above fact was not brought to the notice of this Court at the time of hearing of WPS No. 4351 of 2018, thus, he would pray to allow this review petition.
4. On the other hand, Ms. Pooja Sinha, Advocate appearing for legal representatives of respondent No. 1 would oppose. She would submit that the petitioners herein were duly represented and biparte order was passed. She would contend that this contention was not made at the time of hearing of

WPS No. 4351 of 2018. It is also contended that there is no mistake apparent on the face of record, and therefore, this review petition deserves to be dismissed.

5. I have heard learned counsel for the parties and perused the order passed in WPS No. 4351 of 2018.
6. Perusal of order would show that in presence of Mr. Pankaj Agrawal, Advocate, who represents employers/review petitioners, order was passed and at that time no objection was raised. It was not informed at that point of time that respondent No. 1/employee was a member of Contributory Provident Fund (CPF) and he had not completed 10 years of service. This fact is being disclosed first time by way of this review petition. There is no apparent mistake or error on the face of record, therefore, in my opinion this review petition is not tenable, accordingly, **dismissed**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE