

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2385 of 2016

Smt. Ful Bai W/o Bisambhar Yadav, Aged About 66 Years R/o Village & Post Rajim, Police Station & Tahsil Rajim, District Gariyaband, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. The Executive Engineer, Water Resources Department, Gariyaband, District Gariyaband, (Chhattisgarh)
3. The Sub Divisional Officer, Water Resources Division, Gariyaband, District Gariyaband, (Chhattisgarh)

---- Respondents

For Petitioner	: Shri S.K.Agrawal and Shri A.C.Sahu Advocates
For Respondent-State	: Shri Gary Mukhopadhyay, Dy. Govt. Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/06/2016

Heard on admission.

1. Learned counsel for the petitioner submits that the petitioner, a retired contingency paid employee, is entitled to same benefit which has been granted by this Court in case of similarly situated employee vide order dated 26.2.2015 passed in WA No.281 of 2013 (*Lakhanram Sahu & Ors. Vs. State of Chhattisgarh & Ors.*) and batch of appeals.
2. Learned counsel for the State submits that though there cannot be any quarrel with the legal position adumbrated in the aforesaid order, the case

of the petitioner is required examination and verification of the facts with regard to period of service rendered by the petitioner, a contingency paid employee, in her capacity as temporary status employee.

3. The legal issue has already been set at rest by the Division Bench in the aforesaid referred cases. Let the case of the petitioner be also examined and the facts of the case be verified.
4. The decision shall be taken by the respondent-authority within a period of 2 months from the date of receipt of copy of this order and appropriate order in accordance with law may be passed in the case of the petitioner.
5. With the aforesaid observation, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge