

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3209 of 2016

1. Smt. Ful Bai W/o Bisambhar Yadav, Aged About 66 Years R/o Village & Post Rajim, Police Station & Tahsil Rajim, District Gariyaband, (Chhattisgarh)
2. Bishat Ram, S/o Guharam, Aged About 63 Years R/o Ranwad, Post Parsadajoshi, Police Station & Tahsil Rajim, District Gariyaband, (Chhattisgarh)

---- Petitioners

Versus

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

...Respondents

For petitioners	:	Mr. Goutam Khetrapal, Advocate.
For State	:	Mr. S.P. Kale, Dy. A.G., on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/07/2016

Heard on admission.

1. Learned counsel for the petitioners submits that the petitioners, retired contingency paid employees, are 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 petitioners is required examination and verification of the facts with regard to period of service rendered by the petitioners, a contingency paid employee, in their 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 petitioners 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 petitioners.

5. With the aforesaid observation, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E