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**HIGH COURT OF CHHATTISGARH, BILASPUR****REVP No. 76 of 2016**

1. State Of Chhattisgarh Through Its Secretary, Department Of Public Works, Mantralaya D.K.S. Bhawan, Raipur [now Mahanadi Bhawan, New Raipur District Raipur (Chhattisgarh)]
2. The Executive Engineer, P. W. D. Department, Division No. 1, Raipur, District Raipur (Chhattisgarh)
3. The Sub Divisional Officer, P. W. D. Department, Division No. 1, Raipur District Raipur (Chhattisgarh).....(Respondents)

**---- Applicants****Versus**

1. Santosh Sen S/o Late Dheluram, Aged About 25 Years R/o Laxmi Nagar, Mova, Tehsil And District Raipur (Chhattisgarh)
2. Smt. Chandra Sen, W/o Ratan Sen, Aged About 45 Years R/o Village Pavni, Saragaon, District Raipur (Chhattisgarh)
3. Smt. Meena Sen, W/o Mithlesh Sen, Aged About 40 Years R/o Village Farfod (Bhansog), Tehsil Aarang, District Raipur (Chhattisgarh)
4. Smt. Sakun, W/o Late Ramsingh Sen, Aged About 35 Years R/o Laxmi Nagar Mova, Tehsil And District Raipur (Chhattisgarh)
5. Smt. Bitawan Bai, W/o Arun Rajal, Aged About 30 Years R/o Laxmi Nagar, Mova, Tehsil And District Raipur (Chhattisgarh)

**---- Respondents****And****REVP No. 77 Of 2016**

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. The Executive Engineer, Public Works Department, Ambikapur, District Surguja (Chhattisgarh)
3. The Sub Divisional officer, Public Works Department, Sub Division, Ramanujganj, District Balrampur, Ramanujganj (Chhattisgarh)
4. The Joint Director, Treasury, Accounts And Pension, Ambikapur, District Surguja (Chhattisgarh) .....(Respondents)

**---- Applicants**

**Vs**

- Sahdev S/o Late Chamra, Aged About 63 Years Retired Gangman, Office Of Sub Divisional Officer, Pwd, Sub Division, Ramanujganj District Balrampur Ramanujganj (Chhattisgarh).....(Petitioner)

**---- Respondent**

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For Petitioners/State : Shri Shashank Thakur, GA for the State

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board**

**10/05/2016**

1. Heard on I.A. No.01 (in both the review petitions), applications for condonation of delay in filing the review petitions.
2. For the reasons mention in the applications, the same are allowed and the delay is condoned.
3. With the consent of learned counsel for the petitioners, the petitions are heard finally.
4. These review petitions are directed against the similar order passed in different writ petitions, whereby, this Court followed the order passed by the Division Bench on 26.02.2015 in W.A. No.281 of 2013 and directed the respondents to take the petitioners' temporary service into account to reckon pensionable service in view of the State Government's instructions dated 02.03.2005.
5. Later on, the State Government preferred Review Petition No.61 of 2015 before the Division Bench, which too was dismissed by the Division Bench on merits.

6. In view of the above, it is not open for this Court to exercise review jurisdiction , because, the order passed in different writ petitions has merged in the order passed by the Division Bench in Writ Appeal and the Review Petition.
7. At this stage, learned counsel for the State would submit that the State has preferred SLPs before the Supreme Court bearing Diary Nos.6686 of 2016 (State of Chhattisgarh Vs. Biharilal Jaiswal and others) and 5722 of 2016 (State of Chhattisgarh Vs. Sukhru and others) , therefore, the State may be granted reasonable time of about 06 months for deciding the representations preferred by the respondents to decide the issue of calculation of pensionable services of the respondents.
8. On due consideration, both the Review Petitions are disposed of with observation that the State Government may decide the issue concerning the respondents' eligibility for pension by counting their temporary services within a period of 04 months from today.

Sd/-  
Judge  
**(Prashant Kumar Mishra)**

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