

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2430 of 2016**

B. N. Kiranpure S/o Narayan Kiranpure, Aged About 68 Years
Retired Timekeeper, R/o Village Kuakonda, District Dantewada,
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, New Raipur, (Chhattisgarh)
2. The Director, Treasury, Account And Audit Department, Raipur, (Chhattisgarh)

---- Respondents

Mr. Anup Majumdar, counsel for the petitioner/s.
Mr. S.P. Kale, Dy. A.G. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****04/07/2016**

Heard.

1. Learned counsel for the petitioner submits that the petitioner was initially appointed on daily wage basis in the Work Charged and Contingency Establishment and he acquired 'temporary' status after five years. The petitioner was given 'permanent' status by an order of regular appointment on 13.08.2008. The claim of the petitioner is that for the purposes of grant of pension the services rendered by him from the initial date of appointment is liable to be considered and reliance is placed on a decision of the Division Bench of this Court in the case of ***Lakhanram Sahu and Others Vs. State of Chhattisgarh and Others*** [Writ Appeal No.281 of 2013] and batch of the appeals decided on **26.02.2015**.

2. Learned State counsel submits that though there is no quarrel

with the legal position as propounded by this Court, the entitlement of the petitioner would depend whether or not the case of the petitioner is similarly situated. He also submits that a review petition was filed which was dismissed and the State has filed SLP also in the Supreme Court.

3. In view of order passed by the Division Bench *in the case of Lakhanram Sahu (supra)*, if the petitioner happens to be similarly situated as those persons, he would also be entitled to similar relief.

4. In view of the above, the respondents are directed to scrutinize the case of the petitioner on verification of facts and in case, the petitioner is found to be similarly situated as the employees, in whose favour, order was passed by the Division Bench *in the case of Lakhanram Sahu (supra)*, similar benefit accrue to the petitioner. The exercise should be undertaken within a period of four months.

5. In case, the grievance of the petitioner is not redressed, he will be at liberty to revive this petition.

6. The petition is accordingly allowed.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E