

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.5213 of 2017

- Akhilesh Kumar Gupta S/o Late Ayodhya Prasad Gupta Aged About 49 Years Working As Sub Engineer, Division No. 1, Office Of Executive Engineer, Public Works Department (B/r) Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Police Station Rakhi, Tahsil Aarang, Naya Raipur, District Raipur, Chhattisgarh.
2. Engineer In Chief, Public Works Department, Sirpur Bhawan, Raipur, District Raipur, Chhattisgarh.
3. Chief Engineer, Public Works Department, Bilaspur, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh.
4. Executive Engineer, Public Works Department (B/r), Bilaspur, Police Station Civil Line Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri CJK Rao, Advocate
For Respondents	:	Ms. Sunita Jain, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/10/2017

With the consent of the parties, the matter is taken up for hearing finally.

2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on ad hoc basis on 15-12-1988 against the clear vacant post. The services of the petitioner was continued with artificial break of two or three days in service and worked continuously till the date of his regularization. The petitioner was given the benefits of annual increments.
3. The similarly situated employees have approached the State

Administrative Tribunal (for short "SAT") in Original Application No.1979/91 (***Satish Kumar Mandloi vs. State of MP and another***) praying for similar relief as sought for in this petition. Learned counsel appearing for the petitioner submits that this case may also be disposed off in the same terms and conditions.

4. Ms. Sunita Jain, learned counsel for the State in the light of the order of the SAT as aforestated submits that after verifying the facts of the case, petitioner's case shall be considered.

5. In view of the foregoing and categorical statement made by the learned counsel appearing for the State, this petition is allowed in the same terms i.e. if the Committee finds the petitioner suitable for the post in all respect, he shall be regularized on the post held by him and shall also pay him salary on regular scale. He shall be entitled to salary for the dates on break in service. His seniority shall be counted from the date of his initial appointment.

6. No costs.

SD/-
(**Manindra Mohan Shrivastava**)
Judge