

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5910 of 2017**

Manbodh Baghel S/o Late Shri Sitaram Baghel, Aged About 56 Years Post Mate Public Works Department (Building/ Road), Lastly Posted At P. W. D. Sub Division No. 1, Gariyaband, District Gariyaband, Chhattisgarh R/o Dak Bungalow Colony, Gariyaband, District Gariyaband, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Ministry, Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh.
2. The Accountant General, Through The Assistant Accountant Officer, Office Of The Accountant General, General Provident Fund Section, Raipur, District Raipur Chhattisgarh
3. The Executive Engineer, Public Works Department, Division Gariyaband, District Gariyaband Chhattisgarh.
4. The Sub Divisional Officer, Sub Divisional Officer No. 1, Gariyaband, District Gariyaband Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Alok Kumar Dewangan, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer
For Respondent/ Accountant General	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14.11.2017

Heard.

1. Learned counsel for the petitioner submits that the petitioner having remained posted and working as Work Charged/Contingency Establishment Employee, he is entitled to the benefit of services rendered by him upon acquisition of temporary status, till the date of his retirement, for the purposes of pension admissible under the Chhattisgarh (Work Charged and Contingency Paid Employees) Pension Rules, 1979, in view of the authoritative pronouncement of the order of the Division Bench passed on 26/02/2015 in W.A. No.281/2013

(*Lakhanram Sahu and ors. Vs. State of Chhattisgarh and ors.*) and batch of appeals.

2. Learned counsel for the respondents would not quarrel with the legal position. They, however, submit that the verification would be necessary to find out the petitioner's status, period of services rendered by him, date of acquisition of temporary status etc., therefore, the same benefit could be extended.

3. Having considered the submission of learned counsel for the parties, I am inclined to dispose off the petition, at this stage, with direction to examine petitioner's case in the light of aforesaid decision in the case of Lakhanram Sahu (*supra*) and upon verification of facts, if it is found that the petitioner is entitled to similar relief by taking into consideration the period of services rendered by him as temporary employee till the date he attained superannuation, with the intervention of his regular appointment, the benefit shall be extended to him as early as considering that the petitioner has already retired, the exercise should be completed within a maximum period of 90 days from the date of receipt of copy of this order.

Sd/-

(Manindra Mohan Shrivastava)
Judge