

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3321 of 2017**

Suresh Kumar Shrivastava S/o D. K. Shrivastava, Aged About 50 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, Mahanadi Bhawan, Mantralaya, P. S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur (Chhattisgarh)
2. Engineer In Chief, Public Works Department, Sirpur Bhawan, Raipur (Chhattisgarh)
3. Chief Engineer, Public Works Department, Bilaspur P. S. Civil Line, Bilaspur, District Bilaspur (Chhattisgarh)
4. Executive Engineer, Public Works Department (B / R), Bilaspur P. S. Civil Line, Bilaspur, District Bilaspur (Chhattisgarh)

...Respondents

For Petitioner	:	Mr. CJK Rao, Advocate
For State-respondent	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****26/07/2017**

Heard.

1. 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 22.01.1990 against a clear vacant post. The services of the petitioner were 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. A similarly situated employees approached the State Administrative Tribunal (for short "SAT") in Original Application No. 1979 of 1991 (*Satish Kumar Mandloi Vs State of M.P. 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. Shri Satish Gupta, 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)

J U D G E