

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5338 of 2017

Nayan Ranjan Choudhary S/o P.C. Choudhary, Aged About 51 Years Working As Sub Engineer, Hasdeo Bairaj, Water Management Division, Rampur, Korba, District Korba Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mantralaya, Police Station Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh.
2. Engineer- In - Chief, Water Resources Department, Raipur, District Raipur Chhattisgarh.
3. Chief Engineer, Water Resources Department, Bilaspur, District Bilaspur Chhattisgarh.
4. Executive Engineer, Water Resources Department, Hasdeo Bairaj, Water Management Division, Rampur, Korba, District Korba Chhattisgarh.

---- Respondents

Shri CJK Rao, counsel for the petitioner/s.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/10/2017

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 14/10/1988 against a 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. It is further submitted that similarly situated employees 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 respects, 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. No costs.

Sd/-

(Manindra Mohan Shrivastava)
Judge