

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 1066 of 2015**

Nirmal Kumar Sahu S/o Shri Sadharam Sahu Aged About 63 Years R/o Village Phaphamaar, P.O. Gendatola, Tehsil & District Rajnandgaon, (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary , Water Resources Department, Mahanadi Bhawan, Mantralaya, Raipur
2. Director Treasury Accounts & Audit Department, Raipur, (Chhattisgarh)

**---- Respondents**

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|----------------|---|---------------------------------|
| For Petitioner | : | Shri Anup Majumdar, Advocate    |
| For State      | : | Shri Manish Nigam, Panel Lawyer |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**18/07/2017**

Heard.

1. Learned counsel for the petitioner submits that the petitioner, a retired contingency paid employee, is entitled to same benefit which has been granted by this Court in case of similarly situated employee vide order dated 26.2.2015 passed in WA No.281 of 2013 (*Lakhanram Sahu & Ors. Vs. State of Chhattisgarh & Ors.*) and batch of appeals.
2. Learned counsel for the State submits that though there cannot be any quarrel with the legal position adumbrated in the aforesaid order, the case of the petitioner is required examination and verification of the facts with regard to period of service rendered by the petitioner, a contingency paid employee, in his capacity as temporary status employee.
3. The legal issue has already been set at rest by the Division Bench in the aforesaid referred cases. Let the case of the petitioner be also examined and the facts of the case be verified.
4. The decision shall be taken by the respondent-authority within a period of 2 months from the date of receipt of copy of this order and appropriate order in accordance with law may be passed in the case of the petitioner.

5. With the aforesaid observation, the petition is finally disposed off.

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

Praveen