

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (S) No. 42 of 2017**

Arun Kumar Gupta, aged about 64 years, S/o Late Manrakhan Gupta, R/o Baniya Para, Rajim, Civil District Raipur, Revenue District Gariyaband (C.G.)

---- **Petitioner****Versus**

1. State of Chhattisgarh, through the Secretary, Water Resources Department, Mantralaya Bhawan, New-Raipur.
2. The Executive Engineer, Water Resources Division, Gariyaband, District Gariyaband (C.G.)
3. The Joint Director, Directorate of Funds, Accounts and Pension, Raipur Division, Raipur (C.G.)

---- **Respondents**

For Petitioner: Mr. Ravindra Agrawal, Advocate.
 For Respondents/State: Mr. Dhiraj Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/01/2017**

Heard on admission.

(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 two months from the date of receipt of copy of this order and appropriate order in accordance with law may be passed in case of the petitioner.

(5) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-