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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1702 of 2018**

1. Shakuntala Thakur W/o Ramesh Kumar Thakur, Aged About 62 Years R/o Vijay Nagar Camp li, Near Yug Nirman School, Ward No. 21, Bhilai, District Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Bodhiram Birjhu, Aged About 62 Years Village Nikum, P. O. Nikum, District Durg, Chhattisgarh., District : Durg, Chhattisgarh
3. Jagdish Yadav, W/o Bisouha Yadav, Aged About 62 Years R/o Indra Nagar Nahar Par, Old State Bank Road, Supela, Bhilai, District Durg, Chhattisgarh., District : Durg, Chhattisgarh
4. Nira Bai, W/o Sadhuran, Aged About 65 Years R/o Azad Chowk, Ward No. 14, Shamshan Ghat, Bhilai, District Durg, Chhattisgarh., District : Durg, Chhattisgarh
5. Devta Prasad Upadhyay, W/o Mahadev Prasad Upadhyay, Aged About 63 Years R/o House No. 47(Kh) Laxmi Nagar Ward No. 5, Supela Bhilai, District Durg, Chhattisgarh., District : Durg, Chhattisgarh
6. Bhalchandra Kale, W/o Late Laxmikant Narayan Kale, Aged About 62 Years R/o Street No. 15/b, House No. 3/H, Sector 2, Bhilai Nagar, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Capital Complex, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Directorate, Department Of Urban Administration And Development, Through Its Director, Department Of Urban Administration And Development, Indiravati Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Municipal Corporation, Bhilai, Through Its Commissioner, Municipal Corporation, Bhilai, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Sourabh Sharma, Advocate.
For Respondents/ State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/02/18

Heard.

1. Learned counsel appearing for the petitioners submits that the petitioners were contingency employees and later on became regular in the year 2008. It is submitted that in view of the decision of the Division Bench in the case of **Lakhanram Sahu and others v. State of Chhattisgarh and others** in Writ Appeal No. 281 of 2013 and batch of cases vide order dated 26.02.2015, the services rendered by the deceased employee as temporary employee to the date of regularization also entitled to be counted for the purpose of pension under Pension Rules of 1979.
2. Learned counsel for the respondents would submit that enough there is quarrel in certain legal position, for entitlement to pension appropriate verification of facts would be necessary and on the basis of the same petitioners claim for pension shall be examined and others would be passed.
3. On the submissions made, the petition is disposed of with the direction to examine the petitioners' entitlement for pension in accordance with the decision in the case of *Lakhanram Sahu* (supra) and extended the benefit to petitioners. The exercise should be completed within a period of 3 months.

Sd/-

(Sanjay K. Agrawal)
Judge