

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1720 of 2018**

Mahasingh Chauhan S/o Late Shri Paltan Chauhan Aged About 66
 Years R/o Behind Sweta Nursing Home, Korba, District- Korba,
 Chhattisgarh., District : Korba, Chhattisgarh ---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Capital Complex, New Raipur, P. S. Rakhi, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Department Of Urban Administration And Development, Indravati Bhavan, Capital Complex, New Raipur, P. S. Rakhi, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Municipal Corporation, Korba, Through Commissioner, Municipal Corporation, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh ---- **Respondents**

For Petitioner	:	Mr. Sudeep Agrawal, Advocate
For State/Respondent	:	Mr. Majid Ali, Dy. G.A.
For Respondent No.3	:	Mr. Mayank Kumar, Advocate appears under instructions from Mr. Dhiraj Wankhede, Advocate, on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****23/02/2018**

Heard.

1. Learned counsel for the petitioner submits that the petitioner was contingency employee and later on became regular on 28.04.2008. It is submitted that in view of the decision of the Division Bench in the case of Lakhanram Sahu and others Vs. 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 petitioner as temporary employee up 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 respondent would submit that though there is no quarrel with the legal position, for entitlement to pension, appropriate verification of facts would be necessary and on the basis of the same

petitioner's claim for pension shall be examined and orders would be passed.

3. On the submissions made, the petition is disposed off with the direction to examine the petitioner's entitlement for pension in accordance with the decision in the case of Lakhanram Sahu and others Vs. State of Chhattisgarh and others and upon verification, extend the benefit to petitioner. The exercise should be completed within a period of 3 months.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Rekha