

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3262 of 2018**

Vishnu Prasad Sinha S/o Late Shri Agra Hitram Sinha, aged about 63 years (Retired Time Keeper), Resident of village Laxmipara, Jamul, Block Jamul, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through its Secretary, Urban Administration and Development Department, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur, Chhattisgarh
2. Chief Municipal Officer, Municipal Council Jamul, Durg, District Durg Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24/04/2018**

Heard.

2. Learned counsel for the petitioner submits that the petitioner who was contingency employee, later on became regular on 28-05-2008. Thereafter, he retired in the year 2017. 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 to the date of regularization also entitled to be counted for the purpose of pension under pension rules of 1979.
3. Learned counsel for the respondent would submit that though 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 petitioner's claim for pension shall be examined and orders would be passed.

4. 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 extend the benefit to petitioner. The exercise should be completed within a period of 3 months.

**Sd/-
(P. Sam Koshy)
JUDGE**