

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1720 of 2013

Kishan Shukla S/o Shri Brijlal Prasad Shukla (Since dead), hence through his legal heirs Smt. Kanti Shukla W/o Late Kishan Shukla, aged about 58 years, R/o Ramgopal Tiwari, Ward Mungeli, Thana Mungeli, District Mungeli (C.G.).

---Petitioner

Versus

1. State Of Chhattisgarh Through its Secretary, Public Health Engineering Department, D.K.S. Bhawan, Raipur (C.G.).
2. Superintending Engineer, Public Health Engineering Department, Bilaspur Circle, Bilaspur (C.G.).
3. Executive Engineer, Public Health Engineering Department, Bilaspur Division, District Bilaspur (C.G.).
4. Accountant General, Pagariya Complex, Pandari, Raipur (C.G.).

---Respondents

For petitioner	:	Shri K.P.S.Gandhi, Advocate.
For State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/06/2018

1. The issue involved in the instant case is to decide whether the services of the petitioner has to be counted for pensionary benefits from the date on which the petitioner has been regularized in the department or from the date of his initial engagement with the department as a workcharged contingency paid employee.
2. The counsel for the parties jointly submits that the abovesaid issue is no-longer res-integra as it stands decided by the division Bench of this Court

in Writ Appeal No. 281/2013 decided on 26/02/2015. The said judgment also further stands affirmed by the Hon'ble Supreme Court.

3. In the light of submissions so made by the counsel for the parties, the present Writ Petition also stands allowed and disposed off holding that the petitioner would be entitled for pensionary benefits as has been ordered by division Bench of this Court in the case of **Lakhanram Sahu & Ors. v. State of Chhattisgarh & Ors.** (WA No. 281/2013 decided on 26/02/2015).

4. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit