

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.5836 OF 2018**

1. Smt Kamla Bai Sinha Wd/o Late Radhe Shayam Sinha, Aged About 54 Years R/o Village Dhusera, Post Office Jatkanhar, P.S. Dongargarh, District Rajnandgaon Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Public Works Department, Mahanadi Bhawan, New Mantralaya, Raipur Chhattisgarh.
2. Executive Engineer, Department Of Public Work (B/R) Division, Khairagarh, District Rajnandgaon Chhattisgarh.
3. Sub Divisional Officer Department Of Public Work (B/r) Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri FS Khare, Advocate.
For Respondent-State	:	Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.09.2018**

1. The prayer of the petitioner in this petition is for treating the services of the Husband of the petitioner as regularized employee and thereafter to consider the claim of the petitioner for grant of pension and family pension.
2. Admittedly the Husband of the petitioner was working with the respondents as daily wage employee and had died without being regularized in the service of the State Govt. Unless the services of the deceased employee would had been regularized, the question of grant of pension does not arise. Pension is payable to a regular government employee and not to a person who has not been regularized while he was in service.
3. The petitioner's prayer is for treating the case of the Husband of the petitioner as deemed to have been regularized. So far as regularization is concerned, there can be no situation or an order passed whereby deemed regularization could have been passed.
4. For the aforesaid reasons, this court of the opinion that the claim raised by the petitioner does not have much force of law and the same deserves to be and accordingly stands dismissed.

Sd/-
(P. Sam Koshy
Judge