

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6585 OF 2018**

1. Jai Prakash Pullan S/o Shri K Pullan Aged About 71 Years R/o Supela Panch Rasta, Street No. 14, Ward No. 12, Near Patel Hotel, Bhilai, District Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Hafiz Mohammad S/o Taufia Mohammad Khan Aged About 63 Years House No. 152, Gulshan Road, Farid Nagar, Bhilai, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
3. Bhagwat Das Banjare S/o Shri Kartik Das Banjare Aged About 68 Years R/o Housse No. 154 Ghasidas Para, Ward No. 15, Matiya Bargaon Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh
4. Gangaram Dhangeshwar S/o Shri Balwant Dhangeshwar Aged About 69 Years R/o Krishna Nagar Durgapara, Bhilai, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
5. Rupchand Dewangan S/o Shri Loknath Dewangan Aged About 64 Years R/o In Front Of High School, Shankarpur, Ward, No. 7 Rajnandgaon, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

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

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Municipal Corporation Bhilai, Through- Commissiojner, Municipal Corporation, Bhilai, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

... Respondent(s)

For Petitioners	:	Shri Sourabh Sharma, Advocate.
For Respondent-State	:	Shri DK Wankhede, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04.10.2018**

1. Heard.
2. Learned counsel for the petitioners submits that the petitioners who were contingency employee and later on became regular employee in the years 1990, 1990. 1990, 1997 and 2008 respectively. Thereafter, they retired in the year 2008, 2017, 2010, 2011 and 2016 respectively. 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 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.

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 petitioners 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