

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6556 of 2018

Jagdish Prasad Choudhari S/o Damodar Prasad Choudhari, Aged About 53 Years, Presently Working As Sub Engineer, In The Office Of Executive Engineer, P.W.D. Division-Pendra Road, R/o Dayalband, Bhatkhande Sangeet Mahavidhyalaya, Munshiram Gali No. 02, Police Station- Torwa, District- Bilaspur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Public Works Department, Mantralaya, P.S. Rakhi, Tahsil- Aarang, Naya Raipur, District- Raipur, Chhattisgarh.
2. Engineer In Chief, Public Works Department, Sirpur Bhawan, Raipur, District- Raipur, Chhattisgarh.
3. Chief Engineer, Public Works Department, Bilaspur, P.S. Civil Line, Bilaspur, District- Bilaspur, Chhattisgarh.
4. Executive Engineer, Public Works Department (B / R), Division Pendra, District- Bilaspur, Chhattisgarh.

---Respondents

For petitioner	:	Shri Kishore Narayan, Advocate.
For State	:	Shri S.P.Kale, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/10/2018

1. With the consent of the parties, the matter is taken up for hearing finally.
2. The counsel for the petitioner submits that, the petitioner was initially appointed as Sub Engineer on ad hoc basis on 06/12/1985 against the clear vacant post. The services of the petitioner was continued with artificial break of two or three days in service and worked continuously till the date of his regularization. The petitioner was given the benefits of annual increments.

3. The similarly situated employees have approached the State Administrative Tribunal (for short "SAT") in Original Application No. 1979/91 (Satish Kumar Mandloi v. State of M.P. and another) praying for similar relief as sought for in this petition. Learned counsel appearing for the petitioner submits that this case may also be disposed off in the same terms and conditions.

4. The State counsel in the light of the order of the SAT as aforesaid, submits that after verifying the facts of the case, petitioner's case shall be considered.

5. In view of the foregoing and categorical statement made by the State counsel, this petition is allowed in the same terms i.e. if the Committee finds the petitioner suitable for the post in all respect, he shall be regularized on the post held by him and shall also pay him salary on regular scale. He shall be entitled to salary for the dates on break in service. His seniority shall be counted from the date of his initial appointment.

6. No costs.

Sd/-

(P. Sam Koshy)
JUDGE