

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6971 of 2018

Bharat Lal Rahangdale S/o Late Kauduram Rahangdale, Aged About 62 Years, R/o Ward No. 8, Krishna Vihar Colony, Kawardha, District- Kabirdham, Chhattisgrh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Its Secretary, Public Health Engineering Department, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. Engineer-In-Chief, Public Health Engineering Department, Indrawati Bhawan, Atal Nagar, Raipur, Chhattisgarh.
3. Superintendent Engineer, Public Health Engineering Department, Durg Circle, District Durg, Chhattisgarh.
4. Executive Engineer, Public Health Engineering Department, Block Office Kawardha, District- Kabirdham, Chhattisgarh.
5. Assistant Engineer, Public Health Engineering Department, Sub Division Bodla, District- Kabirdham, Chhattisgarh.

---Respondents

For petitioner	:	Shri Vinod Deshmukh, Advocate.
For State	:	Shri S.P.Kale, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/10/2018

1. The claim of the petitioner in the instant Writ Petition is that, he has been repeatedly making representations to the respondents to consider the services rendered by him as Daily Wage Employee as qualifying service for the purpose of determining pension and retiral dues.
2. The petitioner stood retired from service on 30/04/2018. He was regularized in service on 08/04/1998. It is for this regard the petitioner has

made representation to the authorities for counting the services rendered by him as Daily Wage Employee also as qualifying service for retiral dues.

3. The said representation is pending consideration before the authorities till date and no final decision as such has been passed.

4. Given the limited grievance, let the respondent No.2 take a decision on the representation of the petitioner as to whether the said services of the petitioner as Daily Wage Employee can be treated as qualifying service for the purpose of quantifying retiral dues keeping in view the judgment of the Hon'ble Supreme Court in the case of **Netram Sahu v. State of Chhattisgarh decided on 23/03/2018 in Civil Appeal No. 1254/2018** and also the subsequent circulars of the department of Finance, Government of Chhattisgarh on this issue.

5. Let the said representation be decided by the respondent No.2 within a period of 90 days from the date of receipt of certified copy of this order.

6. In addition, the petitioner would also be at liberty to make a fresh representation to the respondent No.2 in this regard supported with all relevant documents.

7. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE