

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7004 OF 2018**

Ayodhya Prasad Chandrawanshi S/o. Late Seetaram Chandrawanshi, Aged About 61 Years Working As Helper, Office Of Assistant Engineer, Public Health Engineering Department, Sub Division Bodla, District Kabirdham Chhattisgarh.

...Petitioner(s)

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, District : Raipur, Chhattisgarh
3. Superintendent Engineer, Public Health Engineering Department, Durg Circle, District Durg Chhattisgarh, 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.

... Respondent(s)

For Petitioner	:	Shri Vinod Deshmukh, Advocate.
For Respondent-State	:	Shri DK Wankhede, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.10.2018

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 at the initial stage were appointed as Daily Wage Employee with the respondents and in due course of time he has been regularized and is in service and likely to retire in a very short period of time. 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 qualifying 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 of.

Sd/-

(P. Sam Koshy
Judge