

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7407 of 2018

Sunil Chandra Sharma S/o Late Hridaylal Sharma Aged About 51 Years Presently Working As Sub Engineer In The Office Of Executive Engineer, P. W. D. Bilaspur, R/o 27 Kholi, Vikas Nagar, Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Public Works Department Mantralaya, P. S. Rakhi, Tahsil Arang, Naya Raipur, District Raipur, Chhattisgarh.
2. Engineer In Chief Public Works Department Sirpur Bhawan, Raipur, District Raipur, Chhattisgarh.
3. Chief Engineer Public Works Department Raipur, District Raipur, Chhattisgarh.
4. Managing Director Chhattisgarh Road Development Corporation Ltd. Sirpur Bhawan, Raipur, District Raipur, Chhattisgarh.
5. General Manager Chhattisgarh Road Development Corporation Ltd. Sirpur Bhawan, Raipur, District Raipur, Chhattisgarh.
6. Project Manager Chhattisgarh Road Development Corporation Ltd. Bilaspur, District Bilaspur, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Kishore Narayan, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/11/2018

1. Heard.
2. With the consent of the parties, the matter is taken up for hearing finally.
3. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on ad hoc basis on 15.09.1987 against a clear vacant post. The services of the petitioner were 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.

4. A similarly situated employees approached the State Administrative Tribunal (for short "SAT") in Original Application No. 1979 of 1991 (Satish Kumar Mandloi Vs 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.
5. Learned counsel for the State in the light of the order of the SAT as aforestated, submits that after verifying the facts of the case, petitioner's case shall be considered.
6. In view of the foregoing and categorical statement made by the learned counsel appearing for the State, this petition is allowed in the same terms subject to verification of the fact that the petitioner is similarly/identically placed, the committee may proceed and decide the claim of the petitioner. 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.
7. No costs.

Sd/-
(P. Sam Koshy)
Judge

Ved