

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 5 of 2019**

1. Manharan Lal S/o Late Bhaiya Ram, Aged About 63 Years, R/o Laxmi Nagar, Risali, Bhilai, Tahsil And District- Durg, Chhattisgarh
2. Agrahij S/o Shri Kheduram, Aged About 71 Years, R/o Village Konari, Post Pisegaon, District- Durg, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
2. Directorate, Department Of Urban Administration And Development, Through Its Director, Department Of Urban Administration And Development, Indravati Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
3. Municipal Corporation Bhilai, Through- Commissioner, Municipal Corporation, Bhilai, District- Durg, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Sourabh Sharma, Advocate
For State	:	Shri Jitendra Pali, Dy. A.G.
For Municipal Corporation	:	Shri Basant Dewangan, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/01/2019**

1. Heard.
2. Learned counsel for the petitioners submits that the petitioners who were contingency employee, later on became regular employee in the year 2008. Thereafter, they retired in the year 2009 and 2017 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 petitioners' 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 petitioners. The exercise should be completed within a period of 3 months from the date of receipt of copy of this order.

**Sd/-
(P. Sam Koshy)
JUDGE**