

HIGH COURT OF CHHATTISGARH, BILASPUR
WPS No. 358 of 2019

Pramod Kumar Kharya Late Shri Phoolchand Kharya Aged About 53 Years Presently Working As Sub Engineer In The Officer Of Project Manager, P.W.D. (Adb Project), Chhattisgarh State Road Development Project, Division Baloda Bazar, R/o Hig-1, 480, New Borsi, Extension, Housing Board Colony, Durg District - Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Police Station Rakhi, Tahsil - Aarang, Naya Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Engineer In Chief Public Works Department, Nirman Bhawan, Naya Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Project Director Pwd (Adb Project), Chhattisgarh Road Development Project, Sirpur Bhawan, Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Project Manager P.W.D. (Adb Project), Chhattisgarh State Road Development Project, Division Baloda Bazar, District - Baloda Bazar Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondents

For petitioner	:	Ms. Ankita Shriwas, on behalf of Mr. Kishore Narayan, Advocates
For State	:	Shri Sameer Behar, PL

Hon'ble Shri Justice P. Sam Koshy
Order on Board

18/01/2019

1. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on ad hoc daily wage basis on 24.04.1986 against the 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.
2. The similarly situated employees have approached the State Administrative Tribunal (for short ("SAT")) in Original Application No.1979/91 (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.

3. 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.

4. 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 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.

5. No costs.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit