

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 164 of 2019

Sudhanshu Banerjee S/o Shri M. C. Choudhary, Aged About 54 Years, Presently Working As Sub Engineer, In The Office Of Executive Engineer, P. W. D. Division No. 3, Raipur R/o Qtr. No. J-2, Guru Teg Bahadur Nagar, New Purena, Raipur, District Raipur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Public Works Department, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur, Chhattisgarh.
2. Engineer In Chief, Public Works Department, Sirpur Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. Chief Engineer, Public Works Department, Raipur, District Raipur (C.G.).
4. Executive Engineer, Public Works Department, Division No.3, Raipur, District Raipur (C.G.).

---Respondents

For petitioner	:	Shri Kishore Narayan, Advocate.
For State	:	Shri Jitendra Pali, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/01/2019

1. With the consent of the parties, the matter is taken up for hearing finally.
2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on daily wage basis on 16.02.1987 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.

3. 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.
4. 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.
5. 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.
6. No costs.

Sd/-

(P. Sam Koshy)
JUDGE