

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 48 of 2019

Dadu Lal Sahu S/o Late Jhadu Ram Sahu Aged About 70 Years R/o
Village Post Dhardi, Via Kharoud, District Janjgir Champa, Chhattisgarh,
District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

Yashwant Kumar Gopal Executive Engineer, Public Works Department,
Champ Division, District Janjgir Champa, Chhattisgarh

---Respondent

For Petitioner	:	Mr. C.J.K. Rao, Advocate.
For State	:	Mr. Jitendra Pali,Dy. A. G.

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

17/05/2019

1. The present contempt petition has been filed alleging non-compliance of the order dated 04.07.2018 passed in WPS No. 4354 of 2018.
2. The direction given by this Court was to consider the case of the petitioner in the light of the Division Bench decision of this Court in WA No. 281 of 2013 (Lakhanram Sahu and others Vs. State of Chhattisgarh).
3. The respondent on notice has entered appearance and submitted that since the department could not get any documentary proof establishing himself to be an employee in the contingency establishment, the claim of the petitioner for the benefits as per the judgment of Lakhanram Sahu (Supra) could not be extended.

4. During the course of hearing, in this contempt proceedings the petitioner had produced certain records which reflects the name of the petitioner being engaged and the records show the details of wages paid to the petitioner during the period of 1976 to 1979.
5. The further contention of the petitioner is that the said record also showed that the petitioner was being paid regular pay scale. At this juncture, counsel for the respondents, submits that these records were not made available by the petitioner when he was called upon. Since these records show his employment with the respondent on regular basis, this Court is of the opinion that, let the petitioner submit these records afresh before the respondent along with any other documents/records if he has in his possession. The petitioner should also be granted the liberty to verify records maintained in the establishment to be produced before the authority to establish his employment. Subject to the petitioner producing all these records, the respondent authority shall decide the claim of the petitioner afresh within 3 months from the date the petitioner produces all these records.
6. With the aforesaid observations, the contempt petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge