

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 411 of 2019**

Nand Kumar Tiwari S/o Late Mangal Prasad Tiwari Aged About 54 Years Presently Working As Sub Engineer In The Office Of Executive Engineer, P. W. D. Division No. 2 (Vidhansabha Division) Raipur, R/o C-328, Maitri Nagar (Sundar Nagar), Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Public Works Department Mantralaya, Atal Nagar, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Engineer In Chief Public Works Department Nirman Bhawan, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer Public Works Department Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Executive Engineer P. W. D. Division No. 2 (Vidhansabha Division), Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**---- Respondents**


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|----------------|---|--------------------------------|
| For Petitioner | : | Mr. Yogeshwar Sharma, Advocate |
| For State      | : | Ms. Astha Shukla, PL           |

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**Hon'ble Shri Justice P. Sam Koshy****Order on Board****22/01/2019**

1. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on ad hoc daily wage basis on 22.12.1986 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