

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 5687 of 2016

Baldau Prasad Chandrakar S/o Late Shukul Ram, Aged About 70 Years, R/o Village Ganyari, Pahandor, Distirct Durg, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Urban Administraiton And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, Distirct Raipur, Chhattisgarh.
2. The Director, Deptmtent Of Urban Administration And Development, Indravati Bhawan, Mantralaya, Naya Raipur, Distirct Raipur, Chhattisgarh.
3. Municipal Corporation, Bhilai, Through Commissioner, Municipal Corporaiton Bhilai, District Durg, Chhattisgarh.

---Respondents

For petitioner	:	Shri Sourabh Sharma, Advocate.
For resp. No.3	:	Shri Akhilesh Kumar, Advocate.
For State	:	Ms. Sunita Jain, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/01/2019

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner who was contingency employee, later on became regular employee in the year 1997. Thereafter, he retired in the year 2006. 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

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 petitioner's 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 petitioner's 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

Sumit