NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 707 of 2019

Uday Lal Prajapati S/o Late Kunwar Lal Prajapati, Aged About 57 Years, Presently Working As Sub Engineer, In The Office Of Kanker Division, P.W.D. Kanker Chhattisgarh. R/o Near Atral Awas Nayak Bandha Abhanpur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chattisgarh Through The Secretary, Public Works Department, Mantralaya, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
2. Engineer In Chief Public Works Department, Nirman Bhawan, Raipur, District Raipur Chhattisgarh.
3. Chief Engineer, Public Works Department, Jagdalpur, District Bastar Chhattisgarh.
4. Executive Engineer P.W.D. Division, Kanker, District Kanker Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Yogendra Sharma, Advocate
For State	:	Mr. Saleem Kazi, Dy. A.G.

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

04/02/2019

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 ad hoc basis on 08.04.1987 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

vivek