

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 773 of 2019

Kumarmani Barik S/o Narsingh Barik, Aged About 56 Years Presently Working As Sub Engineer (Assistant Project Manager) Head Quarter Dongergarh, under Deputation Chhattisgarh Road Development Corporation Ltd R/o Adarsh Nagar Dongargarh, District Rajnandgaon Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Public Works Department Mantralaya, Police Station Rakhi Tahsil Aarang Naya Raipur District Tahsil Raipur Chhattisgarh.
2. Engineer In Chief, Public Works Department, Sirpur Bhawan Raipur District Raipur, Chhattisgarh.
3. Managing Director, Chhattisgarh Road Development Corporation Ltd . Sirpur Bhawan Raipur ,District Raipur, Chhattisgarh.
4. General Manager, Chhattisgarh Road Development Corporation Ltd. Sirpur Bhawan Raipur District Raipur Chhattisgarh.
5. Project Manager, Chhattisgarh Road Development Corporation Ltd Raipur District Raipur Chhattisgarh.

---Respondents

For petitioner	:	Shri Kishore Narayan, Advocate.
For State	:	Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/02/2019

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 daily wage basis on 21.08.1986 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.

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

jyoti