

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 991 of 2019

Sunita Sahu W/o Alok Sahu Aged About 54 Years Presently Working As Assistant Grade III In The Office Of Sub Divisional Officer Water Resource Department Sub Division No. 1, Raipur R/o H-43, New Panchsheel Nagar Raipur District Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Water Resource Department Mantralaya Naya Raipur District Raipur Chhattisgarh
2. Engineer In Chief Water Resource Department Sihawa Bhawan Civil Lines Raipur District Raipur Chhattisgarh.
3. Chief Engineer Water Resource Department Raipur District Raipur Chhattisgarh.
4. Executive Engineer Water Resource Department Raipur Division District Raipur Chhattisgarh.
5. Sub Divisional Officer Water Resource Department, Sub Division No.1 Raipur District Raipur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Kishore Narayan, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/02/2019

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 Assistant Grade-III on daily wage basis on 13.04.1983 against a clear 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 her regularization. The petitioner was given the benefits of annual increments.

3. A similarly situated employees approached the State Administrative Tribunal (for short "SAT") in ***Original Application No. 1979 of 1991 (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, she shall be regularized on the post held by her and shall also pay her salary on regular scale. Se shall be entitled to salary for the dates on break in service. Her seniority shall be counted from the date of her initial appointment.
6. No costs.

Sd/-
(P. Sam Koshy)
Judge