

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1118 of 2019

Sahyog Kapoor S/o Late Shri R.K. Kapoor , Aged About 58 Years
Occupation Sub Engineer In The Office Of Executive Engineer
P.W.D. Raigarh Division R/o Flat No. 306, Goverdhan Tower,
Chaitanya Nagar, Dhimrapur Road, Raigarh Tahsil And District
Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Public Works
Department Mantralaya Naya Raipur District Raipur Chhattisgarh.
2. Engineer In Chief Public Works Department Sirpur Bhawan Raipur
District Raipur Chhattisgarh.
3. Chief Engineer Public Works Department Bilaspur District Raipur
Chhattisgarh.
4. Executive Engineer Public Works Department Raigarh Division
District Raigarh Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Abhishek Saraf, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/02/2019

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 06.04.1987 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 his 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, 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