

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 1761 of 2019**

Prabodh Kumar Gupta S/o Late Shri Harishankar Gupta , Aged About 53 Years Presently Posted As Sub Engineer, In The Office Of P.W.D. Gariyaband Division ( B/r) R/o Hig - 5, Sector - 1, Shankar Nagar, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner

**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Atal Nagar Naya Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Engineer In Chief, Public Works Department, Nirman Bhawan, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer, Public Works Department (B/r) Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Executive Engineer, P.W.D. Division Gariyaband (B/r) District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Respondents

|                |   |                              |
|----------------|---|------------------------------|
| For Petitioner | : | Ms. Ankita Shriwas, Advocate |
| For State      | : | Mr. Rahul Mishra, Dy. GA.    |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****15/03/2019**

1. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on ad hoc basis on 13.05.1986 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.

2. 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.
3. 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.
4. 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.
5. Needless to mention that this Court has not expressed any opinion on the merits of the case so far as the entitlement of the petitioner is

concerned. The Committee considering the case of the petitioner is expected of taking decision in accordance with the rules and regulations governing the field.

6. No costs.

Sd/-

**(P. Sam Koshy)**  
**Judge**

Rohit