

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2476 of 2019**

1. Bighan Das, S/o Mangan Das Aged About 56 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
2. Mansai Ram, S/o Baldev Aged About 54 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha Distict Jashpur Chhattisgarh
3. Vishun Ram, S/o Baura Aged About 56 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha Distict Jashpur Chhattisgarh
4. Somaru Ram, S/o Dhaudher Ram Aged About 50 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha Distict Jashpur Chhattisgarh
5. Bifaiya, S/o Budiya Aged About 56 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
6. Tibar Siyus, S/o Martin Aged About 55 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur, Chhattisgarh
7. Juvel Ram, S/o Ladhu Aged About 62 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur, Chhattisgarh
8. Mangal Ram, S/o Nandu Sai Aged About 47 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur, Chhattisgarh
9. Tejan Ram, S/o Chepua Aged About 57 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
10. Khora Ram, S/o Kholo Ram Aged About 58 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur, Chhattisgarh
11. Shobnath Ram, S/o Mangal Aged About 59 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
12. Pitrus, S/o Tanis Aged About 54 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
13. Tihlu, S/o Tetangu Aged About 56 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
14. Kirshun Ram, S/o Mitku Ram Aged About 52 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
15. Amrit, S/o Talsu Aged About 56 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh

16. Sundra, S/o Boga Aged About 61 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
17. Sastu Ram, S/o Rakhan Aged About 59 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
18. Mana Ram, S/o Bajru Ram Aged About 56 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh
19. Vijay, S/o Churu Aged About 57 Years Presently Working As Gangman In The Office Of Sub Divisional Office, Public Works Department, Bagicha, District Jashpur Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Engineer In Chief, Public Works Department, Raipur, District Raipur Chhattisgarh
3. Chief Engineer, Public Works Department, Bilaspur, District Bilaspur Chhattisgarh
4. Superintendent Engineer Public Works Department, Ambikapur, Division Ambikapur, District Surguja Chhattisgarh
5. Sub Divisional Officer, Public Works Department, Bagicha, District Jashpur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. C. Jayant K. Rao, Advocate.
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/04/2019

1. The present petition under Article 226 of the Constitution of India has been filed for a direction to the respondents to grant regular pay-scale to the petitioners under the contingency services immediately on completion of three years of service from the initial date of appointment.
2. Learned counsel for the petitioners submits that the petitioners are in employment from 1985 - 1990 and therefore they are entitled for grant of regular pay-scale after completion of three years service. He further submits that similar reliefs have already been granted to certain persons

whose services were also regularized in the State Government in the year 2008. He refers to an order dated 10.03.2015 stating that the said order is in respect of identically placed persons.

3. At this juncture, learned State counsel submits that it would be better if the petitioners file detailed fresh representation to respondent no. 3 along with all relevant documents in support of their claim including the orders of the State Government as also the orders of the High Court in other connected petitions. He further submits that in case representation is made, the respondent no.3 shall decide the same within a further period of three months from the date of receipt of the representation.

4. The proposal of the State counsel is acceptable to the counsel for the petitioners.

5. Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file fresh representation to respondent no.3 along with all relevant documents in this regard giving benefit to similarly placed persons and on such representation being made, respondent no.3 shall dispose off the same within a period of 90 days from the date of receipt of the representation.

6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioners are concerned. The Authorities shall be free to take a decision purely in accordance with the rules governing the field.

7. No order as to costs.

**Sd/-
(P. Sam Koshy)
JUDGE**