

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2970 of 2019

1. Ramkumar (R.K.) Kashyap S/o Shri Sushil Chandra Kashyap Aged About 52 Years Posted As Sthal Sahayak, Public Works Department (Bha./sa.) Champa Division Champa, Sub Division Janjgir District Janjgir Champa Chhattisgarh R/o Village Jarve Tahsil Janjgir District Janjgir Champa Chhattisgarh
2. Mohan Lal Yadav S/o Jaypal Yadav Aged About 51 Years Posted As Office Peon, Sub Division Office C. A. D. A. Road Sub Division Janjgir District Janjgir Champa Chhattisgarh R/o Indira Nagar, Beside Sharda Talkies Janjgir District Janjgir Champa Chhattisgarh,
3. Smt. Madhuri Lata Tiwari D/o Shri K. P. Chaturvedi Aged About 50 Years Posted As Copyst At Sub Division Office C. A. D. A. Road Sub Division No. 01, Janjgir District Janjgir Champa Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Its Secretary, Public Works Department, Mantralaya, Mahanandi Bhawan, Naya Raipur, P. S. Rakhi, Tahsil Aarang, District Raipur Chhattisgarh
2. Engineer-In-Chief Public Works Department Raipur, P. S. City Kotwali, Raipur District Raipur Chhattisgarh
3. Chief Engineer Public Works Department Bilaspur P. S. Civil Line, Bilaspur District Bilaspur Chhattisgarh
4. Executive Engineer Public Works Department Champa, Division P. S. Janjgir, District Janjgir Champa Chhattisgarh
5. Sub Division Officer C. A. D. A. Sadak Sub Division Janjgir District Janjgir Champa Chhattisgarh
6. Superintendent Engineer Public Works Department, Bilaspur Mandal Bilaspur Chhattisgarh
7. Executive Engineer Public Works Department, Korba Division District Korba Chhattisgarh

---Respondents

For Petitioners	:	Mr. Suresh Kumar Pandey, Advocate
For State	:	Mr. Rahul Mishra, Dy. G. A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/04/2019

1. With the consent of the parties, the matter is taken up for hearing finally.
2. Learned counsel appearing for the petitioners submits that the petitioners were initially appointed as Copyist on Daily Wage basis on 11.03.1986

against the clear vacant post. The services of the petitioners were continued with artificial break of two or three days in service and worked continuously till the date of his regularization. The petitioners were 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 of 1991 (Satish Kumar Mandloi Vs. State of Madhya Pradesh 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 of in the same terms and conditions.
4. Shri, Rahul Mishra, Dy. A. G., learned Counsel for the State submits that the case of the petitioners would be considered in the light of the order of the SAT as aforesaid, after verifying the facts of the case.
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 find them suitable for the post in all respects, they shall be regularized on the post held by them and shall also pay them salary on regular scale. They shall be entitled to salary for the dates on break in service. their seniority shall be counted from the date of their initial appointment.
6. No cost.

Sd/-
(P. Sam Koshy)
Judge