

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 3607 of 2019

Sanjiv Kumar Dwivedi **Versus** State of Chhattisgarh and others

16.05.2019	Shri Somkant Verma, counsel for the petitioner. Shri Jitendra Pali, Dy. A.G. for the State. With the consent of the parties, the matter is taken up for hearing finally. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on daily wage basis on 01.12.1988 against the 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. The similarly situated employees had approached the State Administrative Tribunal (for short "SAT") in Original Application No. 1979/91 (Satish Kumar Mandloi Vs. State of M.P.) praying for similar relief as has been 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. Shri Jitendra Pali, learned counsel for the State in the light of the order of the SAT as aforesaid, submits that after verifying the facts of the case, petitioner's case shall be considered. 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 also be entitled to salary for the dates on break in service. His seniority shall be counted from the date of his initial appointment.

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. It is expected that the Committee, while scrutinizing the claim of the petitioner, would consider whether the petitioner is identically placed as that of the persons who have been granted the benefit particularly in the case of Gokaran Singh Vs. State of Chhattisgarh and others passed in WPS No. 6710/2014 dated 24.12.2014 as well as Satish Kumar Mandloi (supra) who had got the original order from the State Administrative Tribunal.

No costs.

Sd/-
(P. Sam Koshy)
JUDGE