

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4739 of 2019

Vijay Kumar Bajaj S/o Late Shri Manik Lal Bajaj Aged About 63 Years R/o L I G- 80, Shailendra Nagar, Raipur, District Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. The Chief Engineer Public Works Department, Raipur Division, Raipur Chhattisgarh.
3. The Superintending Engineer (E/E) Public Works Department, Raipur Division, Raipur Chhattisgarh.
4. The Joint Director Treasury, Accounts And Pension, Raipur, District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Goutam Khetrapal, Advocate
For State	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy
Order on Board

28/06/2019

1. The grievance of the petitioner in the present writ petition is that the services rendered by the petitioner as contingency paid employee before he was regularized in the department under the respondents, should also be counted as qualifying service for the purpose of pension.
2. The issue raised in the present writ petition stands squarely covered by the decision of the Division Bench of this Court in the case of "**Lakhanram Sahu & others vs. State of Chhattisgarh & others**" WA No. 281/2013 and other analogous appeals, decided on 26.02.2015.
3. In addition, it is also relevant to take note of the fact that the Finance department of the State of Chhattisgarh vide a circular No.8/2018, dated 28.02.2018 have held that the period of the Daily wage employees, who

have been regularized subsequent to 01.11.2004, their past services as daily wage employee would also be treated as pensionable service.

4. In view of the aforesaid factual matrix of the case, this Court is of the opinion that ends of justice would meet if the writ petition itself is disposed of with a direction to the respondent No.4 subject to verification of facts take all necessary steps to ensure that the services rendered by the petitioner as daily wage employee and if the petitioner has worked as a daily wage employee itself regularized in the department, then the period rendered as daily wage employee may also be treated as pensionable service.
5. Accordingly, the writ petition stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved