

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) No. 5762 OF 2019**

Smt. Santosh Jaggi, W/o Arsh Jaggi, aged about 61 years, working as Assistant Grade-III, office of Chief Engineer, Mahanadi Project, Irrigation Department, Raipur, District Raipur (CG)

... Petitioner

versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mantralaya New Raipur, District Raipur Chhattisgarh.
2. The Under Secretary, Government Of Chhattisgarh, Water Resources Department, Mantralaya, New Raipur, District Raipur Chhattisgarh.
3. The Engineer-In-Chief Water Resources Department, Raipur, District Raipur Chhattisgarh
4. The Chief Engineer Water Resources Department, Mahanadi Project, Raipur Chhattisgarh
5. The Superintending Engineer Water Resources Department, Raipur Chhattisgarh
6. The Executive Engineer Water Resources Department, Raipur, Division Raipur Chhattisgarh
7. The Sub-Divisional Officer Water Resources Division, Raipur Chhattisgarh
8. The Joint Director Treasury, Accounts And Pension, Raipur, District Raipur

... Respondents

For Petitioner	:	Mr. Amit Kumar Sharma, Advocate.
For Respondents	:	Mr. Somkant Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/08/2019

1. The grievance of the petitioner in the present writ petition is that the services rendered by the petitioner as contingency paid employee before she 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 a Division Bench of this High Court in the case of **Lakhanram Sahu & others v. State of Chhattisgarh & others** in **Writ Appeal No. 281 of 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 has held that the period of the daily wage employees, who have been regularized subsequent to 1.11.2004, 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 present writ petition itself is disposed of with a direction to respondent no.4 to take all necessary steps to ensure that the services rendered by the petitioner as daily wage employee and if the petitioner has been as a daily wage employee itself regularized in the department, then her period rendered as daily wage employee may also be treated as pensionable service.

5. Accordingly, the writ petition stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

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