

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 6028 of 2019**

Manoj Kumar Sinha, S/o Late Shri B.P. Lal, aged about 53 years, working as Sub Engineer, PWD Division Jashpur, R/o Basant Bihar Colony, in front of Saraswati Shishu Mandir, Jashpur, Tahsil and District Jashpur, Civil and Revenue District Jashpur (CG)

... Petitioner**versus**

1. State Of Chhattisgarh, Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. The Engineer in Chief, Public Works Department, Indrawati Bhawan, Mantralay, New Raipur (CG)
3. The Executive Engineer, Public Works Department, Jashpur Division, B/R Jashpur, District Jashpur (CG)

... Respondents

For Petitioner	:	Mr. M.K. Sinha, Advocate.
For Respondents	:	Mrs. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/08/2019**

1. With the consent of the parties, heard the matter finally at admission stage itself.
2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on daily wage basis on 30.9.1986 against the 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 on 12.7.1991. The petitioner was given the benefits of annual increments.
3. The similarly situated employees have approached the State Administrative Tribunal (for short, "SAT") in Original Application No. 1979/91 (Satish Kumar Mandloi Vs. State of M.P. 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. Learned counsel for the State in the light of the order of the SAT as afore-stated, submits that after verifying the facts of the case, petitioner's case shall be considered.

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, that is, 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 be entitled to salary for the dates on break in service. His seniority shall be counted from the date of his initial appointment.

6. 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. The Committee considering the case of the petitioner is expected of taking decision in accordance with the rules and regulations governing the field.

7. The writ petition stands allowed and disposed of accordingly. No costs.

Sd/-
(P. Sam Koshy)
Judge

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