

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7514 of 2019**

Chedilal Sahu S/o Late Shri Kishun Ram Sahu Aged About 63 Years R/o
Village Hirri, Post And Police Station Masturi, District Bilaspur
Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Public Works Department,
Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh.
2. Director Treasury, Accounts And Pension Department, Raipur, District
Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. S.P. Kale , Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/09/2019**

1. The claim of the petitioner in the present writ petition is for grant of pension and pensionary benefits from the date of retirement.
2. According to the petitioner he was initially engaged in the year 1967 and since then he has been continuously working with the respondents. On 23.08.2008, the petitioner got regularized under the respondents and retired from service on attaining the age of superannuation on 28.02.2018.
3. According to the petitioner he has put in about 10 years of regular service and he has put in about 40 years of service as Daily Wage Employee before regularization which also should to be considered for the purpose of deciding the length of service for quantifying the pension and pensionary benefits. Counsel for the petitioner submits

that plain reading of Annexure P-2 the notice of retirement would show that the petitioner was working under the Contingency Establishment and Pension Rules for the Contingency Paid Employees becomes applicable for the petitioner for deciding the pension and pensionary benefits. In addition, counsel for the petitioner also submits that Government of Chhattisgarh, Department of Finance has also issued certain circulars whereby they have ordered for taking the services rendered as Daily Wage Employees for the purpose of determining length of service enabling the person for pension and pensionary benefits under the Pension Rules governing the service conditions of Contingency Paid Employees.

4. Given the facts, let respondent No. 1 & 2 take appropriate steps on the claim of the petitioner in accordance with the rules, guidelines, and circulars as also the judgment of the Division Bench of this Court in the case of **Lakhanram Sahu and others Vs. State of Chhattisgarh and others decided on 26.2.2015** passed by the Division Bench of this Court in WA No.281 of 2013 and other connected writ appeals.
5. Let this exercise be completed within a period of three months from the date of receipt of copy of this order.
6. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-
(**P. Sam Koshy**)
Judge