

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 325 of 2019**

Rajendra Singh Kshatriya S/o Shri Narayan Singh Kshatri Aged About 54 Years Presently Working As Sub Engineer In The Office Of The Superintending Engineer, Circle No. 2, P.W.D. (B And R) Raipur, R/o Q. No. G-1, P.W.D. Colony, Behind Rajbhawan, Civil Lines Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh²²⁶ Through The Secretary, Public Works Department, Mantralaya, Naya Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Engineer In Chief Public Works Department, Sirpur Bhawan, Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer Public Works Department Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Executive Engineer Public Works Department, Raipur Division No. 2, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. Superintending Engineer Public Works Department, Raipur Division No. 2, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For petitioner	:	Shri Yogeshwar Sharma, Advocate.
For State	:	Shri Rahul Mishra, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/01/2019**

1. Counsel for the petitioner submits that the default has since been removed. With the consent of the parties matter was heard finally at the motion stage.
2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on daily wage basis on 08.10.1986 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. 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 off in the same terms and conditions.

4. 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.

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

6. No costs.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit