

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10286 of 2019

Smt. Krishna Patnayak W/o Late Shri J. M. Patnayak Aged About
62 Years R/o Sai Mandir, Jora, Raipur, District - Raipur
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Water Resources, Capital Complex, New Raipur, Raipur Chhattisgarh.
2. Chief Engineer, Department Of Water Resources, Shankar Nagar, Raipur, District Raipur Chhattisgarh.
3. Executive Engineer, Mahanadi Jalasay Pariyojna, 2nd Phase Works Department, Shankar Nagar, Raipur, District Raipur Chhattisgarh.
4. Deputy Director, Kosh Lekha Avam Pension, Raipur Division, Raipur, District Raipur Chhattisgarh.

----Respondents

For petitioner – Shri Sudeep Johri, Advocate.
For State-Shri Ravish Verma, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

09/12/2019

1. Grievance of the petitioner is that she was contingency paid employee appointed in the year 1981 and she was regularized in 1988 and thereafter retired on 31st July, 2019, therefore her services rendered as contingency paid employee should also be counted as qualifying service for the purpose of pension which is not being done.
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 this writ petition itself is disposed off with a direction to the respondents No.2 and 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 off.

Sd/-

(Goutam Bhaduri)

JUDGE