

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4769 of 2020

1. Hriday Ram Sahu S/o Vishal Ram Sahu Aged About 61 Years R/o Village Birbira, Post Ganaud, Police Station And Tahsil Arang, District Raipur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. The Executive Engineer Mahanadi Reservoir, Project, Second Stage Work, Raipur Division, District Raipur Chhattisgarh
3. The Sub Divisional Officer Water Management, Sub Division No. 03, Raipur District Raipur Chhattisgarh

---Respondents

For Petitioner	:	Shri Goutam Khetrapal, Advocate.
For State	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10.12.2020

1. The grievance of the petitioner the present writ petition is that the services rendered by the petitioner as contingency paid employees before he 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 petitions 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 under the contingency establishment 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 writ petition itself is disposed off with a direction to the respondent No.4 to take all necessary steps to ensure that the services rendered by the petitioner as daily wage employees and if the petitioner has been as a daily wage employees itself regularized in the department, then their period rendered as daily wage employees may also be treated as pensionable service.
5. Accordingly, both the writ petitions stand allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge

inder