

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 299 of 2021**

1. Rajaram Sahu S/o Pancham Sahu Aged About 70 Years R/o Village Village And Post Kareli Badi, Tahsil Kurud, District Dhamtari Chhattisgarh
2. Sitaram Sahu S/o Late Ramgopal Sahu Aged About 68 Years R/o Village And Post Bhendri, Police Station Magarlod, Tahsil Kurud, District Dhamtari Chhattisgarh
3. Nakulram Sahu S/o Dayaluram Sahu Aged About 71 Years R/o Village Borda, Post Bhothidih, Police Station Magarlod, Tahsil Kurud, District Dhamtari Chhattisgarh
4. Rekhan Singh Thakur S/o Late Bhagwan Singh Thakur Aged About 63 Years R/o Village Chandna, Post Bhendri, Police Station Nawapara, Tahsil Kurud, District Dhamtari Chhattisgarh
5. Nem Singh Thakur S/o Roman Singh Thakur Aged About 63 Years R/o Village Chandna, Post Bhendri, Police Station Nawapara, Tahsil Kurud District Dhamtari Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Sub Divisional Officer Water Resources Sub Division, Paraswani(Magarlod), District Dhamtari Chhattisgarh
3. The Executive Engineer Water Resources Division Dhamtari District Dhamtari Chhattisgarh
4. Joint Director Treasury, Accounts And Pension, Raipur District Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Goutam Khetrapal, Advocate
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/02/2021**

1. Counsel for the petitioners submits that the writ petition has been filed seeking for a direction to the respondents to consider the period during which the petitioners have rendered their services as daily wage employee for the purpose of counting the length of service for receiving the pensionary benefits.

2. On a query being put to the counsel for the petitioners, he was unable to show any document with which it could be established that the initial appointment of the petitioners was under the Work Charged Contingency Establishment. According to the petitioners, for the said period during which they have rendered their services, they have already received gratuity and therefore for the purpose of grant of pension also the said period should also be counted.
3. Without expressing any opinion on the merits of the case and also subject to verification of the facts whether the initial appointment of the petitioners falls under the Work Charged Contingency Paid Employees Pension Rules or not. The respondents shall take a decision keeping in view the judgment of the Division Bench of this Court rendered in the case of **“Lakhanram Sahu and others Vs. State of Chhattisgarh and others” WA No.281 of 2013**, decided on 26.02.2015. Let an appropriate decision be taken in this regard at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit