

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 3258 OF 2021**

Vijay Kumar Kashyap, S/o Late Shri Jeevanlal, aged about 63 years, R/o Ambedkar Chowk, Dhamtari, Post and District Dhamtari (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Department of Water Resources, Capital Complex, New Raipur, District Raipur (CG)
2. Chief Engineer, Water Resources Department, Shanker Nagar, Raipur, District Raipur (CG)
3. The Executive Engineer, Water Resources Department, E/M.H.E.M.M. Division, Mahanadi Reservoir Project, Rudri, District Dhamtari (CG)
4. The Divisional Joint Director, Directorate of Treasury Accounts and Pension, Raipur Division, Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Mr. Tridib Bhattacharya, Advocate.
For Respondents/State	:	Mr. Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/07/2021**

1. Grievance of Petitioner in the present Writ Petition is that the services rendered by him as contingency paid employee/daily wage worker 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 High Court rendered in the case of "Lakhanram Sahu & others v. State of Chhattisgarh & others" in W.A. No. 281/2013 and other analogous appeals, decided on 26.2.2015.
3. In addition, it is also relevant to take note of the fact that the Finance Department of the State of Chhattisgarh vide Circular No.8/2018, dated 28.02.2018, has 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 the present Writ Petitions itself is

disposed of with a direction to Respondent No.2 to take all necessary steps to ensure that the services rendered by Petitioner as daily wage employee and if the Petitioner has been as a daily wage employee itself regularized in the Department, then his period rendered as daily wage employee may also be treated as pensionable service.

5. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

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