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(2019) 07 CHH CK 0141

In the Chhattisgarh High Court

Case No : Writ Petition (S) No. 5276 Of 2019

Sabita Masand — APPELLANT

Vs

State Of Chhattisgarh And Ors — RESPONDENT

Date of Decision : 23-07-2019

Acts Referred:

Citation : (2019) 07 CHH CK 0141

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : Ritesh Verma, Amit Kumar Sharma, Sameer Behar

Final Decision : Disposed Of

Judgement

P. Sam Koshy, J

1. The grievance of the petitioner in the present writ petition is that the services rendered by the petitioner as contingency paid employee before the petitioner 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 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

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services rendered by the petitioner as daily wage employee and if the petitioner has been as a daily wage employees itself regularized in the department, then the period rendered as daily wage employee may also be treated as pensionable service.

5. Accordingly, the writ petition stands allowed and disposed off.

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