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**(2019) 02 CHH CK 0133**

**Chhattisgarh High Court**

**Case No:** Writ Petition (S) No. 870 Of 2019

Sanjay Kumar Shrivastava

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

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**Date of Decision:** Feb. 11, 2019

**Hon'ble Judges:** P. Sam Koshy, J

**Bench:** Single Bench

**Advocate:** Kishore Narayan, Rahul Mishra

**Final Decision:** Allowed

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### **Judgement**

P. Sam Koshy, J

1. With the consent of the parties, the matter is taken up for hearing finally.

2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Sub Engineer on daily wage basis on 09.03.1987

against the vacant post. The services of the petitioner were continued with artificial break of two or three days in service and worked continuously till

the date of his regularization. The petitioner was given the benefits of annual increments.

3. The similarly situated employees have approached the State Administrative Tribunal (for short ("SAT")) in Original Application No. 1979/91 (Satish

Kumar Mandloi Vs. State of M.P. And another) praying for similar relief as sought for in this petition. Learned counsel appearing for the petitioner

submits that this case may also be disposed off in the same terms and conditions.

4. Learned counsel for the State in the light of the order of the SAT as aforesaid, submits that after verifying the facts of the case, petitioner's case

shall be considered.

5. In view of the foregoing and categorical statement made by the learned counsel appearing for the State, this petition is allowed in the same terms

i.e. if the Committee finds the petitioner suitable for the post in all respect, he shall be regularized on the post held by him and shall also pay him salary

on regular scale. He shall be entitled to salary for the dates on break in service. His seniority shall be counted from the date of his initial appointment.

6. No costs.