



2026:CGHC:13405
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 626 of 2021

- Ramnarayan Mishra S/o Late Shri Nand Prasad Mishra Aged About 66 Years R/o Ram Gopal Tiwari, Ward, Mungeli, Tahsil And Police Station- Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

... Petitioner(s)

versus

- State Of Chhattisgarh Through- Secretary, Department Of Public Health Engineering, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
- Executive Engineer Public Health Engineering Department, Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh
- Director Treasury, Account And Pension Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

... Respondent(s)

For Petitioner	:	Mr. Abhishek Singh, Advocate on behalf of Mr. Lav Sharma, Advocate
For State	:	Mr. Abhyuday Tripathi, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

20.3.2026

- The petitioner has filed this petition for adding of his past services before his regularization on the post of Helper in the Public Health Engineering Department of the State Government.

2) Learned counsel for the petitioner would submit that the petitioner was initially appointed as Watchman on daily rate and thereafter he has been regularized on the post of Helper with respondent department, therefore, as per Rule 6(3) of the Pension Rules 1976 past services of the petitioner should have been counted for the purpose of pension. He would further submit that Co-ordinate Bench of this Court has already decided the issue raised in this writ petition in favour of the petitioner and thereafter Writ Appeal was also preferred by the State before the Division Bench of this Court and same has been dismissed.

3) Per contra, learned State counsel would submit that against the order passed by the Single Bench as well as Division Bench, the State has filed SLP (Civil) No. 8677-8678/2023 before the Hon'ble Supreme Court wherein the Hon'ble Supreme Court has stayed the order passed by the Single Bench and Division Bench of this Court. The operative part of the order reads as under :-

“Delay condoned. Issue notice to the respondents. In the meanwhile, there shall be interim stay of the impugned order”.

Thus, he would pray for keeping the proceeding in abeyance.

4) Considering the submissions and the fact that the issue raised in this writ petition is squarely covered with the issue which is already pending before the Hon'ble Supreme Court, I am of the view that there is no justifiable reason to keep this writ petition pending.

- 5) Accordingly, this writ petition deserves to be disposed of with a direction that the judgment passed by the Hon'ble Supreme Court in SLP (C) No. 8677-8678/2023 will be applicable *mutatis mutandis* in the facts and circumstances of the case of the petitioner and his entitlement to get additional pension will be governed by the decision of Hon'ble Supreme Court in SLP (C) No. 8677-8678/2023. It is also directed that if SLP (C) No. 867-8678 of 2023 is decided in favour of the petitioner, the respondents shall extend the benefit to the petitioner without any further delay. It is also directed that if the grievance of the petitioner still exists, the petitioner shall be at liberty to file a fresh petition raising his grievances.
- 6) With the aforesaid observation(s), direction(s), and liberty granted to the petitioner, this writ petition is disposed of.
- 7) Pending interlocutory applications, if any, stand disposed of.

Sd/-
(Rakesh Mohan Pandey)
JUDGE