



2026:CGHC:20848

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 3867 of 2026**

1 - Shanta Kumar Ghadge S/o Late Shri Diwaker Rao Ghadge Aged About 67 Years R/o Beside Kududand Water Tank Near Government School, Kududand Bilaspur Police Station -Civil Line District -Bilaspur (Chhattisgarh)

... Petitioner**versus**

1 - State Of Chhattisgarh Through Secretary, Public Work Department Mahanadi Bhawan Mantralaya Atal Nagar Nava Raipur District Raipur Chhattisgarh

2 - Engineer -In Chief Public Work Department Nirman Bhawan, Atal Nagar Nava Raipur, District -Raipur (Chhattisgarh)

3 - Director Treasury Account And Pension Indirawati Bhawan, Atal Nagar Nava Raipur District -Raipur (Chhattisgarh)

4 - Accountant General State Of Chhattisgarh Near Zero Point Baloda Bazar Road, Raipur District -Raipur (Chhattisgarh)

... Respondent(s)

(Cause title is taken from CIS)

For Petitioner	: Mr. Lav Sharma, Advocate
For Respondents-State	: Mr. Hari Om Rai, Panel Lawyer
For Respondent No.4	: Mr. Rajkumar Gupta, Advocate

SB: Hon'ble Shri Parth Prateem Sahu, Judge**Order on Board****05/05/2026**

- Petitioner has filed the writ petition for counting his services from the date of his initial engagement.

2. Learned counsel for the petitioner would submit that the petitioner was initially appointed as daily wage employee and thereafter, he has been regularized in the regular establishment of work charge and contingency paid employee establishment 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, the writ appeals preferred by the State before Hon'ble Division Bench of this Court came to be dismissed by the Division Bench, as such, he is also entitle for the same benefit.
3. Per contra, learned State counsel would submit that against the orders passed by the Hon'ble Single Bench as well as Hon'ble Division Bench, the State has filed SLP (Civil) Nos.8677-8678/2023 before the Hon'ble Supreme Court wherein Hon'ble Supreme Court has stayed the orders passed by the Hon'ble Single Bench and Hon'ble 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".
4. Considering the submissions and the fact that 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, the instant writ petition is 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. 8677-8678/2073. It is also directed that if SLP (C) No. 8677-8678 of 2023 is decided favouring 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 thereafter still exists, petitioner will be at liberty to file a fresh petition raising his grievance.
6. With the aforesaid observation / direction, the writ petition stands disposed of with the liberty as granted in favour of the petitioner.
7. Pending interlocutory applications, if any, stand disposed of.

Sd/-

(Parth Prateem Sahu)
Judge