



2026:CGHC:21263

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3902 of 2026

- 1** - Arjun Ram Sahu S/o Late Heeraman Sahu Aged About 72 Years R/o Village - Birauda, Post - Kolar, Tahsil - Abhanpur, District Raipur Chhattisgarh
- 2** - Neelkanth Sahu S/o Jaganti Sahu Aged About 67 Years R/o Village Birauda, Post - Kolar, Tahsil Abhanpur, District Raipur Chhattisgarh
- 3** - Smt. Malti Bai Yadav W/o Kawr Ram Yadav Aged About 65 Years R/o Village - Lamtara, Post - Bendri, Tahsil - Abhanpur, District Raipur Chhattisgarh
- 4** - Raghunandan Dhiwar S/o Chaitram Dhiwar Aged About 68 Years R/o Village Bendri, Post - Rakhi, Tahsil Abhanpur, District Raipur Chhattisgarh
- 5** - Shyamu Dewangan S/o Late Thanwar Dewangan Aged About 69 Years R/o Dewangan Para, Sivni, Tahsil - Abhanpur, District Raipur Chhattisgarh
- 6** - Sakharam Sahu S/o Badkuram Sahu Aged About 72 Years R/o Village Bendri, Post - Rakhi, Tahsil - Abhanpur, District Raipur Chhattisgarh
- 7** - Ganeshram Sahu S/o Bisahuram Sahu Aged About 66 Years R/o Rawatpura Colony, In Front Of Laxmi Kirana Stores, Mathpuraina, Raipur, District Raipur Chhattisgarh
- 8** - Savita Poddar D/o Brij Ballabh Poddar Aged About 74 Years R/o Quarter No. 445, Priyadarshni Nagar, Raipur, District Raipur Chhattisgarh

9 - Smt. Kamla Bai Sahu W/o Late Chhannuram Sahu Aged About 69 Years R/o Uparwara Ward No. 20 Post Uparwara, P.S. Rakhi, District Raipur Chhattisgarh

10 - Gaurishankar Pandey S/o Ramdular Pandey Aged About 69 Years R/o Near Chhattisgarh Public School, Galiggohra Chowk, Tikrapara, Raipur, District Raipur Chhattisgarh

11 - Dashrath Lal Sahu S/o Bhukhau Ram Sahu Aged About 73 Years R/o Bansakra, Post - Bansakra, District Balodabazar-Bhatapara Chhattisgarh

12 - Ramlal Sinha S/o Kashiram Sinha Aged About 76 Years R/o Village And Post - Atarmara (Panduka), District Gariyaband Chhattisgarh

13 - Rajsika S/o Nawakhau Mali Aged About 69 Years R/o Ward No. 65 House No. 35 M.D. Colony, Telibandha, District Raipur Chhattisgarh

14 - Mohd. Shabbi Khan S/o Mohd. Asgar Khan Aged About 69 Years R/o Aman Nagar House No. 123 V.P. Vihar, Mowa, Raipur, District Raipur Chhattisgarh

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Joint Secretary, Finance Department, Mantralaya, Atal Nagar, New Raipur, District Raipur Chhattisgarh

2 - The Under Secretary Government Of Chhattisgarh, General Administration Department (Pension Redressal Samiti), Atal Nagar, New Raipur, District Raipur Chhattisgarh

3 - The Engineer-In-Chief Water Resources Department, Shivnath Bhawan, North Block, Sector-19, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh

4 - The Director Directorate Of Pension And Provident Fund, First Block A, Indravati Bhawan, Nawa Raipur, District Raipur Chhattisgarh

5 - The Chief Secretary Government Of Chhattisgarh, Water Resources Department, Mantralaya, Atal Nagar, New Raipur, District Raipur

Chhattisgarh

6 - The Chief Engineer Water Resources Department, Shivnath Bhawan, North Block Sector-19, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh

7 - The Chief Engineer Mahanadi Godawari Kachhar Water Resources Department, Shankar Nagar, Raipur Chhattisgarh

8 - The Superintending Engineer (E And M) Water Resources Department, Sihawa Bhawan, Civil Line, Raipur Chhattisgarh

9 - The Executive Engineer Water Management Division No. 1, Water Resources Department, Akashwani, Behind Kali Mandir, Raipur Chhattisgarh

10 - The Divisional Joint Director Treasury, Account And Pension, Raipur Division, Raipur Chhattisgarh

... **Respondent(s)**

(Cause title is taken from CIS)

For Petitioners	: Mr. K. P. Sahu, Advocate
For Respondents-State	: Ms. Shakshi Bajpayee, Panel Lawyer

SB: Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

06/05/2026

1. Petitioners have filed the writ petition for counting their services from the date of their initial engagement.
2. Learned counsel for the petitioners would submit that the petitioners were initially appointed as daily wage employee and thereafter, they have 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 petitioners 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, petitioners are 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 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 petitioners, the respondents shall extend the benefit to the petitioners without any further delay. It is also directed that if the grievance of the petitioners thereafter still exists, petitioners 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