

Court No. - 34

Case :- WRIT - A No. - 17276 of 2023

Petitioner :- Raju Prasad Rawat And 4 Others

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Ramesh Kumar Tiwari, Aditi Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

1. Heard learned counsel for the parties and perused the record.
2. Petitioners who are working on a daily wage basis with the respondent No.2 ever since their initial engagement made in respective years from 1990 to 2001, are aggrieved by non consideration of their claim for regularisation in light of the Regularisation Rules 2016 namely the Uttar Pradesh Regularisation of Persons Working on Contract in Government Departments On Group "C" And Group "D" Posts (Outside The Purview Of The Uttar Pradesh Public Service Commission) Rules, 2016.
3. It is submitted that the claim of the petitioners is fully covered by relevant Rule 4(d) and 6(1) of the said Rules and, therefore, the respondents are bound in law or otherwise under obligation to accord due consideration to the claim of the petitioners for regularisation.
4. Learned counsel for the petitioners in the above regard has also drawn attention of the Court towards representations made by the petitioners dated 08.12.2020 and 28.05.2022 to the competent authority namely respondent No.2 upon which till date no decision has been taken by the authority even though reminders was made on 18.01.2023.
5. Learned Standing Counsel could not dispute that the matter requires consideration by the authority by passing appropriate order either way.
6. In view of the above, this Court is of the considered view that in the first instance, matter shall be examined by the competent authority namely respondent no.2 *qua* the claim of the petitioners for regularisation against Group-D post in the establishment under

the relevant Regularisation Rules, 2016 and the pending representation made by the petitioners may be disposed of by the competent authority strictly in accordance with law within a period of three months from the date of presentation of certified copy of this order, by means of reasoned and speaking order.

Order Date :- 12.10.2023

P Kesari