

**HIGH COURT OF UTTARAKHAND AT NAINITAL****THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA****AND****THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY****27th July, 2026****SPECIAL APPEAL NO.281 of 2026**

Doiwala Sugar Company Limited and Another-----Appellants

Versus

Janardan Yadav

----Respondent

Presence:-

Mr. T.A. Khan, learned Senior Counsel assisted by Ms. Sheeba, learned counsel for the appellants.

Mr. Amar Murti Shukla, learned counsel for the respondent.
-----**JUDGMENT: (per Manoj Kumar Gupta, C.J.)**

1. The present intra Court appeal is directed against the order of learned Single Judge dated 19.05.2026, by which, the writ petition filed by the respondent challenging the order of Executive Director of the appellant Sugar Mill dated 17/24.05.2017 rejecting his claim for regularization has been allowed.

2. The appellant is a Government Company. The petitioner was initially engaged as Helper on daily wages in the appellant Company w.e.f. 01.12.1993. The learned Single Judge has noted that he has worked for more than thirty years. The appellant Company has already regularized the services of various other daily wagger employees, but he was denied the said benefit solely on the ground that in the year, 2013, he was



given fitment on the post of Oilman, which is a seasonal post.

3. The learned Single Judge has held that in case of one Zakir, who was working as Oilman, the appellant Company had given him permanent status on the post of Helper. The petitioner had filed an affidavit that he was ready to work on any post on permanent basis as may be given to him. The post of Helper is categorized as 'unskilled' whereas post of Oilman is 'semi-skilled'. It seems that the stand taken by the petitioner before the Writ Court that he was ready to work against any post as well as the fact that he had worked for more than 22 years on the post of Helper had persuaded the learned Single Judge in issuing direction to the appellant Company to re-consider the case of the petitioner for being given permanent status on the post of Helper on the analogy of Zakir.

4. Mr. T.A. Khan, learned Senior Counsel appearing for the appellant contended that the petitioner was working on the post of Oilman and since it was of seasonal nature, therefore, he could not be confirmed. However, it is not disputed that the initial appointment of the petitioner was as Helper and he had worked in the said capacity for 22 years. Thereafter,



the appellant Company itself designated the petitioner as Oilman and now on basis of that it is seeking to deny the benefit of regularization. The post of Helper is in 'unskilled' category, which as noted above is a lower post. In such circumstances, we find no illegality in the direction issued by the learned Single Judge for considering the case of the petitioner for regularization on the post of Helper.

5. The appeal is consequently dismissed.
6. Pending application, if any, also stand(s) disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 27.07.2026

KKS/PP