

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.3918 of 2008**

Badri Prasad Pandey, S/o Late Shri Gandhi Lal Pandey, aged about 59 years, R/o Village Konar, Tahsil Pamgarh, District Janjgir Champa, at present: working as Aushadhalaya Sewak, Government Ayurvedic Aushadhalaya Saria, District Raigarh (CG)

---- Petitioner

Versus

1. State Of Chhattisgarh through Secretary Health and Family Welfare Department, Govt. of CG, D.K.S. Bhawan, Mantralaya, Raipur (CG)
2. The Divisional Officer (Ayurved), Bilaspur Division, Nutan Colony, Sarkanda, Bilaspur, Tahsil And District Bilaspur (C.G.)
3. Superintendent-Cum-Assistant, District Ayurved Officer, Raigarh (C.G.)

---- Respondent

For Petitioner	:	Shri Devesh Kela, Advocate
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

Order On Board**08/10/2015**

This petition has been filed by the petitioner claiming regularization.

2. Undisputedly, the petitioner was a daily wage employee engaged in the year 1983. The facts which are not in dispute are that the petitioner, though continued in service, terminated and then reinstated, but due to pendency of criminal case, in which, he has been acquitted, regularization matter has remained pending.

3. Submission of learned State counsel is that the petitioner is not entitled to claim regularization in view of the judgment of Supreme Court in the case of ***Secretary, State of Karnataka and Others vs. Umadevi and others***¹.

4. The State Government has already issued policy of regularization on 05-03-

2008 to consider the cases of regularization in accordance with the verdict of Supreme Court in the case of ***Umadevi*** (supra). The petitioner is continued as a daily wage employee since 1983. This case requires consideration by duly constituted scrutiny committee. Let it be done within a period of four months and decision be taken in that regard.

5. With the aforesaid direction, this petition is finally disposed off.

Sd/-
Manindra Mohan Shrivastava
Judge