

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P.(S) No. 7082 of 2011**

Rajesh Choudhary S/o Shri K.P. Choudhary, R/o Santoshi Ward
No. 27, Kumaharpara, Jagdalpur, Bastar, CG

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Forest Department, Mantralaya, D.K.S. Bhawan, Raipur, CG
2. Principal Chief Conservator of Forest (PCCF), Chhattisgarh, Aranya Bhawan, Raipur, CG
3. Forest Conservator Jagdalpur, Circle Jagdalpur, CG

---- Respondents

For Petitioner	:	Shri Anant Bajpai under instruction of Shri S. S. Rajput, Advocate
For Respondents/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09/10/2015**

The petitioner through the present writ petition has sought for quashment of the order dated 28.03.2011 and also sought for a direction to the respondents to consider his case for regularization on the post of Forest Guard.

2. The facts of the present case are that the petitioner was initially appointed as Forest Guard on daily wages in the year 1995 and he continued his services till 2002 with the respondents. Subsequently, his services were discontinued after payment of compensation as is evident from Annexure P-1 wherein the name of the petitioner is reflected at serial no.8.

3. The State in their reply have specifically come up with a stand that the petitioner was not regularized for the reason that the services of the petitioner were discontinued w.e.f. 2002. There is no document shown by the petitioner that he continued his services with the respondents subsequent to 2002 nor is there any rejoinder filed by the petitioner rebutting the submission made by the State in their reply that the services of the petitioner got discontinued in the year 2002.

4. Considering the fact that the petitioner is not in service, the question of grant of regularization does not arise at all as the petitioner failed to show either in the writ petition or by way of rejoinder that he is in employment.

5. Thus, the present writ petition being devoid of merit deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
JUDGE

Bhola