

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (S) No. 1376 of 2015

Anand Kumar Swi, S/o Gopal Krishna Swi, aged about 41 years, Driver,
R/o Shiv Mandir Ward, Jagdalpur, District Bastar, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Health and Family Welfare Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Director Health Services, Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
3. Chief Medical and Health Officer, Jagdalpur, District Bastar, Chhattisgarh

---- Respondents

For Petitioner	Shri C.J.K. Rao, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order on Board

21.04.2015

Heard learned counsel for the parties.

1. Learned counsel for the petitioner submits that the petitioner is working on daily wages in the respondent/department from 1997 and yet his services have not been regularized. He would submit that pursuant to the judgment passed by the Supreme Court in the matter of **Secretary, State of Karnataka and others Vs. Umadevi (3) & others** {(2006) 4 SCC 1}, the State Government has framed a scheme for regularization by issuing a circular dated 5th March, 2008. However, in spite of the said circular and even after expiry of about 3 years period, the case of

the petitioner for regularization has not been considered. Learned counsel would submit that for the present, the writ petition may be disposed of with a direction to the respondents to consider his case for regularization in the light of the State Government's circular dated 5th March, 2008.

2. Considering the limited prayer and for the fact that the petitioner is working since 1997 and the State Government has already issued a circular on 5th March, 2008 for regularization of such daily wagers who have been appointed on daily wages prior to 31-12-1988 and thereafter from 1-1-89 to 31-12-97, it is directed that case of the petitioner shall be considered and a decision shall be taken in this regard keeping in view the contents of circular dated 5th March, 2008. This exercise shall be completed within a period of 4 months from the date of presentation of certified copy of this order before the competent authority.
3. With the above observation, the writ petition is disposed of.

J U D G E

Nirala