

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3184 of 2015

1. Kamtaram S/o Sudhram Sahu, Aged About 53 Years R/o Hardi, Post-Ghutku Nayapara, Police Station Gariyabandh, District Gariyabandh (Chhattisgarh)
2. Ram Ji Sahu, S/o Shri Jhumuklal Sahu, Aged About 58 Years R/o Mohlai, Post Darribhata, Police Station, Tahsil & District Gariyabandh
3. Teerath Ram, S/o Daulal Sahu, Aged About 55 Years R/o Mohlai, Post Darribhata, Police Station, Tahsil & District Gariyabandh
4. Sukhe, S/o Titra, Aged About 42 Years R/o Village Daspur, Post-Zoba, Police Station, Tahsil & District Gariyabandh

Civil and Revenue District Gariyabandh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Environment & Forest, Mahanadi Bhawan, Secretariat, Raipur. Chhattisgarh
2. The Principal Conservator Of Forest, Chhattisgarh, Aranya Bhawan, Jail Road, Raipur
3. The Chief Conservator Of Forest, Chhattisgarh, Aranya Bhawan, Jail Road, Raipur
4. The Divisional Forest Officer, Gariyabandh Forest Division, Gariyabandh

---- Respondents

For Petitioner
For Respondent /State

Mr. Yogesh Chandra, Advocate
Mr. Shashank Thakur, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

1/9/2015

Heard learned counsel for the parties.

2. Grievance of the petitioners is that though the petitioners are working as daily wagers before 31.12.1997, but the petitioners' are not being considered for regularization in accordance with the circular of the State Government dated 5-3-2008.

3. In reply to above, the State counsel submits that if the petitioners file fresh representations along with copy of the petition, the same shall be considered in accordance with law.

4. In view of the above, the writ petition stands disposed of. If the petitioners file fresh representations individually along with copy of the petition, then, the competent authority of the respondent authorities are directed to consider and decide the petitioners' case for regularization strictly in accordance with State Government's circular dated 5-3-2008 issued in compliance of the decision of the Supreme Court in the matter of **Secretary, State of Karnataka and Others v. Umadevi (3) and Others, (2006) 4 SCC 1**, on its own merits and in accordance with law, as early as possible, preferably, within a period of six months from the date of receipt of representations.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

(Prashant Kumar Mishra)