

(2)

WP(S) 2008/05

IN THE MADHYA PRADESH STATE ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH JABALPUR

D.A. NO. 316P OF 2000

15425.../12 (1)

1) TULSIDAS SAHU, AGED ABOUT
30 YEARS, SON OF SHRI PALTAN DAS SAHU
OCCU: CHOWKIDAR, FISHERIES DEPARTMENT
DISTT: RAJNANDGAON

2) RAMJI DHIVAR, AGED ABOUT 34
YEARS, SON OF SHRI BRIJLAL DHIVAR
OCCU: CHOWKIDAR, FISHERIES DEPARTMENT
DISTT: RAJNANDGAON (M.P.)

..... APPLICANT

-Versus-

1) STATE OF MADHYA PRADESH
THROUGH: SECRETARY, Fisheries
~~NON POWER AND PLANNING~~ DEPARTMENT,
VALLABH BHAWAN, BHOPAL (M.P.)

2) DIRECTOR
FISHERIES DEPARTMENT
DISTT: BHOPAL

3) ASSTT. DIRECTOR,
FISHERIES DEPARTMENT, RAJNANDGAON
DISTT: RAJNANDGAON (M.P.).

..... RESPONDENTS

DETAILS OF PETITION



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2008 of 2005**

• Tulsidas Sahu

---- Petitioner

Versus

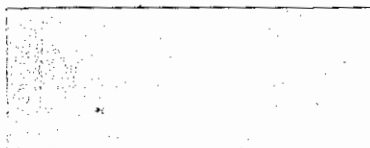
• State & Ors.

---- Respondent

For Petitioners	:	Shri RK Kesharwani, Advocate
For Respondents-State	:	Shri YS Thakur, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****16/03/2016**

1. Challenge in this petition is to the order dated 12-6-2000 passed by the Assistant Director, Fisheries, Rajnandgaon, directing that the petitioners' services would come to an end on expiry of one month period.
2. The order under challenge has remained stayed by the Tribunal vide its order dated 26-6-2000 and is still operating.
3. Petitioners were appointed on daily wages by the Assistant Director, Fisheries, Rajnandgaon in the month of April 1991. On completion of three years service they were allowed regular scale of pay by bringing them in the work charged and contingency paid establishment. An order to this effect was passed by the Assistant Director on 17-7-96.
4. The State Government issued direction to make scrutiny of all appointments made on daily wages after 31-12-88. Upon this scrutiny the petitioners have



been terminated by the impugned order.

5. Having heard learned counsel for the parties and having considered the entire facts situation of the case, it appears, the petitioners are enjoying regular scale of pay for last about 20 years. It is stated at the bar that both the petitioners have already been regularized during pendency of the petition. True it is that the first appointment on daily wages was not in accordance with the constitutional scheme, yet considering the fact that the petitioners are continuing on the strength of interim order passed by the tribunal, relegating the petitioner to the status of daily wagers or removing them from the services would cause extreme hardship to them.
6. For the foregoing, the writ petition is allowed and the impugned order is quashed.

Sd/-

Judge
Prashant Kumar Mishra

Ashu