

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6135 of 2016

1. Rameshwar Prasad Sahu S/o Nakul Prasad Sahu, Aged About 46 Years R/o Nawapara P.S. Pusaor Distirct Raigarh Chhattisgarh
2. Sadharam S/o Bhumri, Aged About 50 Years R/o Viramdega, P.S. Pathalgaon Distirct Jashpur Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Thorough The Secretary Department Of Law Legislative Affairs For Election Mantralaya, Mahanadi Bhawan, Naya Raipur, Distirct Raipur Chhattisgarh
2. State Election Commissioner Through The Secretary Shastri Chowk Old Mantralaya Parisar, Raipur Distirct Raipur Chhattisgarh
3. Distirct Election Officer, Raigarh, Distirct Raigarh Chhattisgarh
4. Collector, Raigarh, Distirct Raigarh Chhattisgarh

---- Respondents

For Petitioners : Shri H.S. Ahluwalia, Advocate.
For Respondents/State : Shri Prasun Bhaduri, GA

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/12/2016

(1) Learned counsel appearing for the petitioners would submit that the petitioners have preferred these writ petitions seeking regularization/absorption on the ground that they are working as temporary employees on the post of Peon in the Office of State Election Commission for last 18 years, they have neither been regularized nor absorbed and by the impugned order dated 22.07.2016 passed by the respondents No.1 & 2, the services of the petitioners will not be extended prior to 28.02.2017. He would further submit that the State Government has time to time issued circulars with regard to absorption/regularization of temporary employees and some earlier

temporary employees have been regularized/absorbed in the regular post but the case of the present petitioners have not been considered by the respondents authorities and they are entitled for consideration of their cases for regularization/absorption in terms of the circulars dated 19.09.1990, 29.11.1973, 29.11.1978 and 12.06.1980 issued by the State Government.

(2) Prayer appears to be fair and reasonable.

(3) Be that as it may, the writ petitions are disposed of with a direction to the respondent No.1 to consider and take decision in the case of the petitioners keeping in view the terms of circulars dated 19.09.1990, 29.11.1973, 29.11.1978 and 12.06.1980 issued by the State Government by speaking order expeditiously, preferably within a period of one month from the date of receipt of copy of this order i.e. by 31.12.2016.

(4) However, the petitioners are at liberty to submit fresh representation/additional representation before the respondent No.1 for redressal of their grievances. If the grievance of the petitioners are not redressed/fully redressed, the petitioners are at liberty to revive the petition.

(5) It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities may take decision in the matter on its own merit, in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-