

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.6888 of 2016

1. Chandrashekhar Pandey S/o Vrinda Pandey, Aged About 36 Years Peon Working As Peon In Collectorate Cum Distirct Election Officer, Janjgir Champa Chhattisgarh
2. Jagatram Prajapati S/o Late Siyaram, Aged About 25 Years Working As Peon In Collectorate Cum District Election Officer Janjgir Champa Chhattisgarh
3. Ashok Kumar Jaiswal S/o Narsingh, Aged About 35 Years Working As Peon In Collectorate Cum District Election Officer Janjgir Champa Chhattisgarh

---- Petitioners

Versus

1. Chief Election Officer , Chhattisgarh, Indrawati Khand, Mantralaya Parisar, Raipur, District Raipur (CG)
2. Collector And District Election Officer, Janjgir Champa, District Janjgir Champa Chhattisgarh
3. State of Chhattisgarh through Secretary, General Administration Department, Mahanadi Bhawan, Naya Mantralaya, New Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Shri Sanjay Patel, Advocate
For Respondent/State	:	Ms. Aastha Shukla, PL

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/12/2016

Learned counsel appearing for the petitioners would submit that the petitioners have preferred this writ petition 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 many years, they have neither been regularized nor absorbed and by the impugned order dated 14-07-2016 passed by the respondents No.1, the services of the petitioners will

not be extended beyond 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) Be that as it may, the writ petition is disposed of with a direction to the respondent No.3 to consider and take decision in the case of the petitioners keeping in view the law laid down by the Supreme Court in the case of ***the Secretary, State of Karnataka and others vs. Uma Devi and Others, AIR 2006 SC 1806*** and circular applicable in the cases relating to claim of regularization issued by the government on 05-03-2008, preferably within a period of three months from the date of receipt of a copy of this order along with fresh representation.

(3) If the grievance of the petitioners are not redressed/fully redressed, the petitioners are at liberty to revive the petition.

(4) 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/-
(**Manindra Mohan Shrivastava**)
Judge