

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.4609 of 2015

Sukhdas Sahu, S/o Shri Ramtu Sahu, aged about 50 years, R/o Village Khamhardih, Thana and Tahsil Khairagarh, Civil & Revenue Distt. Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Public Works Department, Mahanadi Bhawan, Capital Complex, New Raipur, Distt. Raipur (C.G.)
2. Executive Engineer, Public Works Department, Rajnandgaon, Distt. Rajnandgaon (C.G.)
3. Sub Divisional Officer, Public Works Department, Division Khairagarh, Distt. Rajnandgaon (C.G.)
4. Executive Engineer, Public Works Department, Khairagarh Division, Khairagarh, Distt. Rajnandgaon (C.G.)

---- Respondents

For Petitioner: Mr. Sunil Sahu, Advocate.

For State/Respondents: -

Mr. Prasoon Kumar Bhaduri, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

24/11/2016

1. Learned counsel for the petitioner would submit that the petitioner worked on daily wages in the Department of Public Works from 2-4-1980 to 30-6-2005 and yet his services have not been regularized. He would further submit that pursuant to the judgment passed by the Supreme Court in the matter of **Secretary, State of Karnataka and others v. Umadevi (3)**

and others¹, the State Government has framed a scheme for regularization by issuing a circular dated 5-3-2008. However, in spite of the said circular and even after expiry of about 8 years period, the case of the petitioner for regularization has not been considered. He would also submit that for the present, the writ petition may be disposed of with a direction to the respondents to consider the case of the petitioner for regularization in light of the State Government's circular dated 5-3-2008.

2. Considering the limited prayer of learned counsel for the petitioner, considering the fact that the petitioner worked in the Department from 2-4-1980 to 30-6-2005 and the State Government had already issued a circular on 5-3-2008 for regularization of such daily wagers who have been appointed on daily wages prior to 31-12-1988 and thereafter from 1-1-1989 to 31-12-1997, 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 the circular dated 5-3-2008. This exercise shall be completed within a period of four months from the date of presentation of certified copy of this order before the competent authority.
3. The writ petition stands disposed of with the aforesaid observation. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge