

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5062 of 2017**

- Kirtan Kumar Gond S/o Shri Ganpat Gond, Aged About 46 Years Presently Working As Garden Servant In Govt. Ayurvedic Pharmacy, Raipur, District Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary / Under Secretary, Department Of Health And Family Welfare, D. K. S. Bhawan, Mantralaya, Raipur, Chhattisgarh.
2. Director, Indian Medical Treatment And Homeopathy, Raipur, Chhattisgarh.
3. Superintendent, Govt. Ayurvedic Pharmacy, Raipur, Chhattisgarh.
4. Deputy Director, Govt. Ayurvedic Pharmacy, Raipur, Chhattisgarh.
5. Principal, Govt. Ayurved College, Raipur, Chhattisgarh.

---- Respondent

For Petitioner
For Respondents/State

Shri Pawan Shrivastava, Advocate.
Shri Rajendra Tripathi, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****04/12/2017**

1. In this petition under Article 226 of the Constitution of India, the petitioner is claiming a regularization on the strength of State Government's Circular dated 27 June 2008, wherein it is directed that all Contingency Paid Employees appointed on compensate ground after 1988 shall be regularized.
2. Learned counsel for the petitioner would submit that petitioner

was appointed as Garden Servant on compensate ground on 28.11.1998 and was granted regular pay scale on 10.07.2002. However, his services has not yet been regularized which is causing immense hardship to him. He would also submit that similarly placed Contingency Paid Employees have been regularized in the services pursuant to order passed by this Court in WPS No. 2591 of 2011 on 04.08.2015 (Annexure P-5).

3. Considering the entire facts situation of the case, instead of keeping this petition pending, it is disposed of with a direction that on petitioner's submitting fresh representation for regularization before the competent authority, within a period of 4 weeks from today on the strength of circular dated 27 June 2008, as well as the order passed by this Court in WPS No. 2591 of 2011, the competent authority shall consider and decide the representation objectively, by speaking order, at the earliest preferably within a period of 3 months from the date of submission. While deciding the representation, the competent authority shall specifically address the issue regarding petitioner's claim of parity with other similarly placed employees named in the order passed by this Court in WPS No. 2591 of 2011.
4. According, the writ petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh