

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2929 of 2017

- Mayaram Sahu S/o Late Adhiram Sahu, Aged About 61 Years R/o Village Haniband, P. O. Gandai Pandaria, Tehsil Chuiekhadan District Rajnandgaon (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Chief Engineer Public Works Department Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Superintendent Engineer, P W D Department, Durg Mandal District Durg, Chhattisgarh.
3. Executive Engineer, P W D (B & R) Department Sub Division Office Khairagarh, District Rajnandgaon Chhattisgarh.

---- Respondents

For Petitioner	:	Shri HS Ahluwalia, Advocate
For Respondents	:	Ms. Sunita Jain, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2017

Heard.

2. Learned State counsel was twice granted time to file reply, but return has not been filed. Today, learned State counsel again prays for time to file reply.
3. Looking to the nature of relief sought in this petition, I am not inclined to grant further time.
4. The grievance as ventilated through this petition arises on account of non-consideration of their claim of regularization as per regularization policy dated 05-03-2008 promulgated by the State Government to consider the cases of eligible dailywage employees for regularization as one time measure in view

of the judgment of the Supreme Court in the case of ***the Secretary, State of Karnataka and others vs. Uma Devi and Others, AIR 2006 SC 1806***. The petitioners are continuously working as daily wage employee without considering their cases of regularization ever since 1978. It is submitted that the petitioners have completed long period in public service without regularization.

5. In this case, it is found that though opportunity was granted earlier, for the last three years, no return has been filed.

6. Considering that the petitioners have been working continuously since many decades, it is necessary that their cases ought to be considered and decided in accordance with regularization policy dated 05-03-2008.

7. In these circumstances, the case of the petitioners requires suitable consideration by the respondent No.2 to immediately examine the petitioners' claim of regularization by a duly constituted committee as per the directions dated 05-03-2008. The committee shall examine all the records and consider the case of the petitioners and take decision thereon within a period of 60 days without fail. The result shall be communicated to each of the petitioners by respondent No.2.

8. Accordingly, the petition, at this stage is finally disposed off. The case of the petitioners, who are working continuously since many decades as daily wage employee, should be decided within the stipulated time period.

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