

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 445 OF 2016**

Shyamlal Jaiswal S/o Late Shri Ramdayal Jaiswal Aged About 52 Years R/o Janjgir,
District-Janjgir-Champa, Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Women And Child Development, Mahanadi Bhawan Mantralay, New Raipur, District-Raipur, Chhattisgarh.
2. The Commissioner, Department Of Women & Child Development, Raipur, Chhattisgarh.
3. The Collector Janjgir Champa District Janjgir Champa, Chhattisgarh.
4. The District Project Officer, Department Of Women & Child Development, Raipur, Chhattisgarh.

---- Respondents

For Appellant : Shri Jeet Patel, Advocate

For State/Respondents : Shri Y. S. Thakur, Additional Advocate General

Coram: **Hon'ble Shri Deepak Gupta, Chief Justice**
Hon'ble Shri Sanjay Agrawal, Judge

Order on Board**24/01/2017**

1. This writ appeal is directed against the judgment dated 23.7.2010 passed by the learned Single Judge of this Court dismissing Writ Petition (S) No. 2718 of 2010 filed by the Petitioner/Appellant.
2. The Petitioner/Appellant was appointed as Watchman on daily wage

basis in the year 1989. His services were terminated in the year 1999. Thereafter, he filed a writ petition challenging the order of his termination and that writ petition was dismissed on 19.07.2006. He challenged the said order by filing an appeal and the writ appeal was dismissed on 13.02.2007.

3. The State of Chhattisgarh in the year 2008 framed a scheme of regularization of those employees who had worked for more than 9 years on daily wage basis. Seeking benefit of this scheme, the Petitioner filed writ petition in the year 2010 praying for his regularization. As rightly held by the learned Single Judge, the Petitioner is out of service since 1999 when his services were terminated. The order of termination was upheld by this Court. He was not in service in the year 2008 when the policy was framed. Therefore, we are afraid that we cannot grant benefit of this policy to the Petitioner.

4. Accordingly the writ appeal is dismissed.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Sanjay Agrawal)
JUDGE