

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.410 of 2017**

Rajendra Prasad Ekka S/o Shri Dilip Ekka, Aged About 44 Years
Working As Driver, Government District Ayurvedik Hospital,
Ambikapur, District Surguja (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Health & Family Welfare Department, Mahanadi Bhawan, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh)
2. The Director, Ayurved Yog, Natural Hospital Yunani Siddh & Homeopathy, Raipur (Chhattisgarh)
3. The Superintendent- Cum- District Ayurved Officer, Ambikapur, District Surguja (Chhattisgarh)
4. The Collector, Ambikapur, District Surguja (Chhattisgarh)

---Respondents

For Petitioner : Shri Harish Khuntiya, Advocate.

For State : Shri Prasun Bhaduri, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****24/01/2017**

(1) Heard learned counsel for the parties.

(2) Grievance of the petitioner is that though the petitioner is working as daily wager since 28.02.1992, but the petitioner's case is not being considered for his regularization in accordance with the circular of the State Government dated 05.03.2008.

(3) In reply to above, State counsel submits that if the petitioner files fresh representation along with copy of the petition, the same shall be considered in accordance with law.

(4) In view of the above, the petition stands disposed of. If the petitioner files fresh representation along with copy of the petition, then competent authority of the respondent authorities are directed to consider and decide the petitioner's case for regularization strictly in accordance with State Government's circular dated 05.03.2008 issued in compliance of the decision of the Supreme Court in **Secretary, State of Karnataka and Others v. Umadevi (3) and Others**¹, on its own merits and in accordance with law, as early as possible, preferably within a period of six months from the date of receipt of representation.

(5) It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-

¹ (2006) 4 SCC 1