

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1226 OF 2017

1. Lain Das S/o Late Baratdas Mandal Aged About 48 Years Occupation Pump Operator (Now Plumber), Office Of Nagar Panchayat Baramkela, R/o Ward No.5, P.S. & Tahsil Baramkela, Raigarh, District Raigarh (Chhattisgarh)
2. Premlal S/o Nanddau Yadav, Aged About 45 Years Occupation- Pump Operator, Office Of Nagar Panchayat Baramkela, R/o Ward No.5, P.S. & Tahsil Baramkela, Raigarh, District Raigarh (Chhattisgarh)
3. Prakash Das S/o Asaram Manikpuri, Aged About 50 Years Occupation- Pump Operator, Office Of Nagar Panchayat Baramkela, R/o Ward No.2, P.S. & Tahsil Baramkela, Raigarh, District Raigarh (Chhattisgarh)

... Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration & Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, Distt. Raipur (Chhattisgarh)
2. The Joint Director, Urban Administration & Development Department, Bilaspur, District Bilaspur (Chhattisgarh)
3. Collector, Raigarh, District Raigarh (Chhattisgarh).
4. The Project Officer, District Co-Operative Development Office, District Raigarh (Chhattisgarh)
5. The Chief Executive Officer, Nagar Panchayat Baramkela, District Raigarh (Chhattisgarh)

... Respondents

For Petitioners	:	Mr. S.K. Thomas, Advocate.
For Respondent-State	:	Mr. B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

15/03/2017

1. Learned Counsel for the Petitioners submits that the Petitioners are working as daily wage employees ever since 1990 and their claim for a regularization has not been considered in accordance with the Government policy dated 5.3.2008. According to the Petitioners, they are entitled to be considered for regularization under the aforesaid policy which was formulated by the State in view of the directions issued by the Hon'ble Supreme Court in the case of *Secretary, State of Karnataka and Others Vs. Umadevi and Others* [2006 (4) SCC 1].

2. Learned Counsel for the State would submit that the claim of regularization would be considered by the competent authority strictly in accordance with the circular of the Government applicable to the local body and the Supreme Court decision in the case of Uma Devi (supra).

3. In view of above, the writ petition is disposed of at this stage, with a direction to Respondent No.5 to consider the case of the Petitioners for regularization in accordance with the applicable policy and take a decision on the same within a period of four months.

4. With the aforesaid direction, the present writ petition stands finally disposed of.

Sd/-
(Manindra Mohan Shrivastava)
JUDGE