

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5443 of 2014

1. Ramnaresh Sahu S/o Puran Sahu Aged About 48 Years R/o Village Mahuwabhata Tah. Saja Civil & Rev. Dist. Bemetara C.G.
2. Lala Ram Dewangan S/o Dukhi Ram Aged About 55 Years R/o Village Rajamohgaon, Tah. Saja, Civil & Rev. Dist. Bemetara, Posted As A Labour In Govt. Agriculture Fam, Mohagaon, Dist. Bemetara C.G.
3. Krishna Ram Dhimar S/o Bisahu Ram Dhimar Aged About 54 Years R/o Village Rajamohgaon, Tah. Saja, Civil & Rev. Dist. Bemetara, Posted As A Labour In Govt. Agriculture Fam, Mohagaon, Dist. Bemetara C.G.
4. Udhay Ram Rajak S/o Nathu Ram Rajak Aged About 49 Years R/o Mahuwabhata, Tah. Saja, Civil & Rev. Dist. Bemetara C.G. Posted As Lobour In Govt, Agricultural Farm Mohgaon, Dist. Bemetara C.G.
5. Jalulu Marar S/o Late Bihari Marar Aged About 58 Years R/o Mahuwabhata, Tah. Saja, Civil & Rev. Dist. Bemetara C.G. Posted As Lobour In Govt, Agricultural Farm Mohgaon, Dist. Bemetara C.G.
6. Rohit Dhobi S/o Late Dukhram Dhobi Aged About 49 Years R/o Mahuwabhata, Tah. Saja, Civil & Rev. Dist. Bemetara C.G. Posted As Lobour In Govt, Agricultural Farm Mohgaon, Dist. Bemetara C.G.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture Dep. Mahanadi Bhavan, Mantralaya, New Raipur Dist. Raipur C.G.
2. Joint Director Agriculture, Raipur Region Raipur, Dist. Raipur C.G.
3. Deputy Director Agriculture, Directorate, Agricultural, C.G. Agriculture Raipur C.G.
4. Collector, Bemetara, Dist. Bemetara C.G.

---- Respondents

For Petitioners	:	Shri B. P. Singh, Advocate
For Respondent/State	:	Shri Manish Nigam, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/08/2017

Heard.

2. 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 1981 to 1986. It is submitted that the petitioners have completed long period in public service without regularization.

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

4. 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.

5. 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 90 days without fail. The result shall be communicated to each of the petitioners by respondent No.2.

6. 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

Tumane