

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 1203 of 2015

1. Ratnu Yadav S/o Late Sarju Yadav Aged About 52 Years Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)
2. Neera Bai D/o Late Phool Singh Aged About 50 Years (Wrongly Mentioned In The List As Smt. Neera Bai) Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)
3. Mandri Bai D/o Late Maan Singh Aged About 50 Years (Wrongly Mentioned In The List As Smt. Mandri Bai) Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)
4. Firanta Singh Gond S/o Late Mahara Aged About 51 Years Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)
5. Mehtar Singh Gond S/o Late Faguwa Gond Aged About 50 Years Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)
6. Punit Yadav S/o Late Aghanu Yadav Aged About 41 Years Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)
7. Smt. Kamla W/o Firanta Aged About 42 Years Resident Of Village- Motipur, Tahsil - Patan, District- Durg (Chhattisgarh), Working As A Labour In The Capacity Of Daily Wager In P.W.D. Department Under The Control Of Sub-Divisional Officer, P.W.D. Department, Patan, District- Durg (Chhattisgarh)

---- Petitioners

Versus

1. State of Chhattisgarh, Through The Secretary, Public Works Department, Mantralaya New Raipur, P.S.- Rakhi, District- Raipur (Chhattisgarh)
2. The Sub- Divisional Officer, Public Works Department, Division Patan, District- Durg (Chhattisgarh)

---- Respondents

For Petitioners	: None for the Petitioners.
For Respondent/State	: Shri Y.S. Thakur, Additional A.G.

Hon'ble Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Justice Sharad Kumar Gupta

Order on Board

Per Thottathil B. Radhakrishnan, Chief Justice

27.06.2017

1. The petitioners claimed to be daily wage employees under the Public Works Department of the Government. They pleaded that they are working continuously since 1982 and they have not been considered for regularization. They relied on a Government Circular dated 05.03.2008 and pleaded that the Government is not giving effect to the directions of the Hon'ble Supreme Court in the decision rendered in *Secretary, State of Karnataka and Others v. Uma Devi, (2006) 4 SCC 1*.
2. Having considered the materials on record and having heard learned counsel for the parties including learned Additional Advocate General, this writ petition is ordered directing that the competent official respondent will consider the case of the Petitioners for regularization in terms of Circular dated 05.03.2008 and all other binding judicial precedents and executive instructions. Let action following this order be taken within an outer limit of four months from the date of receipt of a copy of this order.
3. The writ petition is ordered accordingly.

Sd/-
(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-
(Sharad Kumar Gupta)
Judge