

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (S) No. 7169 of 2016**

Vibhuti Upadhyaya, S/o Krishna Bihari Upadhyay, aged about 34 years, Assistant Grade-III (contractual), Office of the Collector & Election Officer, District Korla, Baikuntapur (C.G.)

---- **Petitioner****Versus**

1. Chief Election Officer, Indrawati Khand, Mantralaya Parisar, Raipur, District Raipur (C.G.)
2. Collector-cum-District Election Officer, Kanker, District Kanker (C.G.)
3. State of Chhattisgarh, through Chief Secretary, Mahanadi Bhavan, Mantralaya New Raipur, District Raipur (C.G.)

---- **Respondents**

For Petitioner : Mr. T.K. Jha, Advocate.
 For Respondents/State : Mrs. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****02/01/2017**

(1) Learned counsel appearing for the petitioner would submit that the petitioner has preferred this writ petition seeking regularization/absorption on the ground that he is working as temporary employee on the post of A.G.-III/Peon in the Office of State Election Commission for last 7 to 13 years, he has neither been regularized nor absorbed and by the impugned order dated 05.11.2016 passed by the respondent No.1, the services of the petitioner will not be extended prior to 28.02.2017. He would further submit that the State Government has time to time issued circulars with regard to

absorption/regularization of temporary employees and some earlier temporary employees have been regularized/absorbed in the regular post but the case of the present petitioner has not been considered by the respondents authorities and he is entitled for consideration of his case for regularization/absorption in terms of the circulars dated 19.09.1990, 29.11.1973, 29.11.1978 and 12.06.1980 issued by the State Government.

(2) Prayer appears to be fair and reasonable.

(3) Be that as it may, the writ petition is disposed of with a direction to the respondent No.1 to consider and take decision in the case of the petitioner keeping in view the terms of circulars dated 19.09.1990, 29.11.1973, 29.11.1978 and 12.06.1980 issued by the State Government by speaking order expeditiously, preferably within a period of one month from the date of receipt of copy of this order.

(4) However, the petitioner is at liberty to submit fresh representation/additional representation before the respondent No.1 for redressal of his grievances. If the grievance of the petitioner is not redressed/fully redressed, the petitioner is at liberty to revive the petition.

(5) It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities may take decision in the matter on its own merit, in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

