

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 262 of 2018**

Naihar Sai S/o Shri Baijnath Aged About 42 Years Working As Time Keper / Labour Daily Wager In The Department Of Public Works , Division No. 1 Office Of Executive Engineer , Ambikapur Police Station Kotwali Ambikapur District Surguja Chhattisgarh. , Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary Department Of Public Works Mahanadi Bhawan Mantralaya Naya Raipur Chhattisgarh. , Chhattisgarh
2. Engineer In Chief, Department Of Public Works Sirpur Bhawan Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Chief Engineer, Department Of Public Works Ambikapur District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
4. Superintendent Engineer, Department Of Public Works Ambikapur Division Ambikapur District Surguja Chhattisgarh. , District : Surguja (Ambikapur), Chhattisgarh
5. Excecutive Engineer, Department Of Public Works Ambikapur District Surguja Chhattisgarh. , District : Surguja (Ambikapur), Chhattisgarh

--**Respondents**

For Petitioner	:	Mr. Pawan Shrivastava, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14.03.2018

Heard.

Return has been filed by the State.

1. Learned counsel for the petitioner submits that the petitioner is working as Daily Wage Employee since 1996 and he is entitled to be considered for regularization under the State Government's policy dated 05.03.2008 promulgated in view of the decision of the Supreme Court in the case of **the Secretary, State of Karnataka and others Vs. Uma Devi and Others, AIR 2006 SC 1806.**

2. Learned State counsel, in the return, has not disputed the date since when the petitioner has been working as Daily Wage Employee. Therefore, the petitioner's case would require consideration under circular dated 05.03.2008. According to respondents, so far no decision has been taken on petitioner's claim for regularization.

3. Therefore, at this stage, it would be appropriate to dispose off the matter with a direction to respondents to examine petitioner's claim for regularization under policy dated 05.03.2008 and the judgment of the Supreme Court in the case of Umadevi (supra) and take a decision thereon within an outer limit of three months from the date of receipt of copy of this order.

Sd/-

(Manindra Mohan Shrivastava)
Judge