

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 385 of 2018

Aagam Singh Son Of Suklal Singh, Aged About 43 Years R/o Village Kosmarra, Post Rampur, P. S. Salahewara, Tahsil Chhui-Khadan, District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Forest Department, New Mantralaya, Mahanadi Bhavan, Hasaud, Naya Raipur, District Raipur, Chhattisgarh.
2. The Principal Chief Conservator Of Forest, Arenya Bhavan Medical College Road, Raipur (Chhattisgarh)
3. The Chief Conservator Of Forest Durg Circle Durg, Chhattisgarh.
4. The Conservator Of Forest, Durg Circle, Durg, Chhattisgarh.
5. The Divisional Forest Officer, Khairagarh Forest Division, Khairagarh, District Rajnandgaon, Chhattisgarh.
6. The Forest Circle Officer, Forest Circle Gandai, District Rajnandgaon (Chhattisgarh)

---- Respondents

Shri Bharat Rajput, counsel for the petitioner/s.
Shri Manish Nigam, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/01/2018

Heard on admission.

1. Learned counsel for the petitioner submits that the Division Bench of this Court in the case of *Tukaram Vs. State of Chhattisgarh* (WPC No.1703 of 2015 and batch of petitions) concludes the issue raised in this petition that for the purpose of considering cases for regularization under circular dated 5.3.2008 of the State Govt., an employee shall be deemed to have continued in service from the initial date of appointment where his termination order has been set aside and he has been reinstated by an award of the Labour Court.

2. Learned counsel for the State submits that the legal position is settled but the matter would require consideration on verification of facts.

3. Taking into consideration the submission of learned counsel for the parties, at this stage, this petition is disposed off with a direction to consider petitioner's claim for regularization treating him as having continued in service since 1985 up till date ignoring break on account of termination which was set aside by the order of the Labour Court. The claim of the petitioner be considered within a period of four months from the date of receipt of copy of this order.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E