

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 500 of 2016

1. Shyam Sunder Yadav S/o Dboba Yadav Aged About 55 Years
Occupation - Peon, Office Of Nagar Panchayat Sariya, P.S. Sariya,
Tahsil - Baramkela, Raigarh, District- Raigarh Chhattisgarh,
Chhattisgarh
2. Suryamani Sidar S/o Devraj Sidar, Aged About 48 Years
Occupation- Pump Operator, Office Of Nagar Panchayat Sariya,
P.S. Sariya, Tahsil- Baramkela, Raigarh, District- Raigarh
Chhattisgarh, District : Raigarh, Chhattisgarh
3. Basant Kumar Das S/o Murlidhar Das, Aged About 49 Years Pump
Operator, Office Of Nagar Panchayat Sariya, P.S. Sariya, Tahsil
Baramkela, Raigarh, District Raigarh Chhattisgarh, District :
Raigarh, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through - The Secretary, Urban
Administration And Development Department, Mantralaya,
Mahanadi Bhawan, New Raipur, Distt. Raipur Chhattisgarh.,
Chhattisgarh
2. The Joint Director, Urban Administration And Development
Department, Bilaspur, District Bilaspur Chhattisgarh, District :
Bilaspur, Chhattisgarh
3. Collector, Raigarh, District Raigarh Chhattisgarh, District : Raigarh,
Chhattisgarh
4. The Project Officer, District Co-Operative Development Office,
District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
5. The Chief Executive Officer, Nagar Panchayat Sariya, District
Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. D. N. Prajapati & Mr. S. K. Thomas, Advocates.
For State	:	Mr. Majid Ali, Dy. GA.
For respondent No. 5	:	Mr. Atanu Ghosh, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

04/05/2018

1. There is an application for permission to appear filed by Mr. D. N. Prajapati. Having considered the application, I am inclined to allowed Mr. D. N. Prajapati to appear along with Mr. S. K. Thomas in this case.
2. The petitioners are working as daily wage employee in the Nagar Panchayat since 1984, 1985 and 1986. The claim for regularization has been made on the grievance that Nagar Panchayat is not considering their cases for regularization, their claim have not been considered till date.
3. According to the petitioners, they are entitled to be considered for regularization under the policy dated 5.3.2008 which was formulated by the State and which is applicable in the local bodies as well, in view of directions issued by Hon'ble Supreme Court in the case of Secretary, State of Karnataka and Others Vs. Umadevi and Others [2006 (4) SCC 1].
4. Learned counsel appearing for Nagar Panchayat submits that the claim for regularization of the petitioners would be considered strictly in accordance with the circular of the Government applicable to the local body and the Supreme Court decision in the case of Uma Devi (supra).
5. In view of the above, the writ petition is disposed off at this stage, with a direction to Respondent No. 5 to consider the case of the petitioners for regularization in accordance with the applicable policy and take a decision on the same within a period of four months.
6. With the aforesaid direction, the present writ petition stands finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge