

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2950 of 2018

Narad Sahu S/o S/o Shri Awadhram Sahu Aged About 50 Years R/o Village Manikchouri, Post Dharampura, Tahsil Kawardha, District- Kabirdham, Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department, Of Forest, Mahanadi Bhavan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Divisional Forest Officer, General Forest Division, District Kabirdham, Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Respondents

For Petitioner	:	Shri H.B.Agrawal, senior counsel with Ms. Meera Jaiswal, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/04/2018

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 1995 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

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