

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2789 of 2018**

1. Tahlum Ram Sahu, Kundal Sai Sahu, Aged About 51 Years Resident Of Village Kallutola, Tahsil Chhuriya, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
2. Rajesh Kumar Ramteke, Ramji Lal, Aged About 47 Years Resident Of Mahud, Post Mahud, Tahsil Ambagarh Chowki, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
3. Jaitram Yadav, Late N. R. Yadav, Aged About 47 Years Resident Of Village And Post Baghera, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Suresh Kumar Patel, Sarjan Patel, Aged About 46 Years R/o Village Kanharipuri, Post And P. S. Dongargarh, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
5. Kamta Sinha, Murha Sinha Aged About 45 Years R/o Village And Post Bandha Bazar, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director, Health And Family Welfare Department, Indravati Bhawan, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. The Collector, Rajnandgaon, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. The District Ayurved Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

--Respondents

For Petitioners	:	Mr. Avinash Chand Sahu, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****04.04.2018**

Heard.

1. By this petition, the petitioners have sought direction to the respondents to consider their claim of regularization on the strength of regularization policy of the State Government

promulgated on 05-03-2008 to consider cases of eligible daily wage employees for regularization in view of the judgment of Supreme Court in the case of the **Secretary, State of Karnataka and others vs. Uma Devi and Others, AIR 2006 SC 1806.**

2. Learned counsel for petitioners submits that the petitioners were appointed as daily wage employee way back in the year 1981 and till date, they are continuing as daily wage employee without regularization. He submits that the State Government, in view of judgment of Supreme Court in the case of Uma Devi (supra) for consideration of cases for regularization in limited number of cases, has issued circular on 05-03-2008. Learned counsel submits that the petitioners are also entitled to be regularized but nothing is happened.

3. Learned State counsel submits that the petitionersss claim of regularization is a matter of consideration by the duly constituted committee under the State Government circular dated 05-03-2008 and the petitioners cannot claim regularization, as of their right.

4. Prima facie, order of appointment dated 04-09-1981 (Annexure P-1) shows that the petitioner was appointed on Collector Rate basis. It is the case of the petitioner that he is continuing since then. State Government Circular dated 05-03-2008 reveals that the policy for consideration of cases for regularization of dailywage employees only to the extent permissible in view of judgment of Supreme Court in the case of Uma Devi (supra).

5. This Court in number of cases have already disposed off the petitions with a direction to consider claim of regularization as per Government circular dated 05-03-2008, strictly in accordance with the judgment of Supreme Court in the case of Uma Devi (supra). Therefore, in these circumstances, no useful purpose would be served in keeping this matter pending.

6. In view of above, this petition is finally disposed off with a direction to consider petitioners' claim of regularization strictly in accordance with the judgment of Supreme Court in the case of Uma Devi (supra) and State Government circular dated 05-03-2008.

Sd/-
(Manindra Mohan Shrivastava)
Judge