

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5122 of 2017

1. Sukhdeo Ram S/o Shri Chuyu Ram, Aged About 36 Years Working As Waterman At Post Matric Boys Hostel Kunkuri, Tahsil Kunkuri, District Jashpur Chhattisgarh., Chhattisgarh
2. Mahendra Ram Nayak, S/o Shri Sukun Ram, Aged About 43 Years Working As Rasoia At Boys Hostel Pandripani, Tahsil Farsabahal, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
3. Ashok Kumar Bhagat, S/o Shri Vasudeo Ram, Aged About 46 Years Working As Waterman At Post Matric Boys Hostel Kunkuri, Tahsil Kunkuri, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Development Department, Mantralya, Mahanadi Bhawan, New Raipur Chhattisgarh., Chhattisgarh
2. District Education Officer, Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
3. Collector, Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondents

For petitioner	:	Shri Somkant Verma, Advocate.
For State	:	Shri Dhiraj Wankhede, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/11/2018

1. The limited relief which the petitioner has sought is for a direction to the respondents to consider the case of the petitioner for regularization in the department.
2. According to the petitioner he has been serving under the respondents for the last more than 14 years and in the light of the judgment of the Hon'ble Supreme Court in the case of "State of Karnataka and Others Vs. Umadevi (3) & Others, 2006(4) SCC 1, as a onetime major, the authorities should consider the case for regularization of such employees, whose appointment otherwise is not illegal.

3. Given the facts, which is not disputed by the State counsel, this Court is of the opinion that ends of justice would meet if writ petition stands disposed off with a direction to the respondent No.2 to consider the case of the petitioner for regularization keeping in view the observations of the Hon'ble Supreme Court in the case of "Uma Devi" (supra). It is made clear that this Court has not expressed any opinion on the merits of the case, authorities are at liberty to decide the petition in accordance with the law, rules and circulars framed in this regard.

4. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit