

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 4968 of 2018**

Ram Dhan Rajwade S/o Late Shankar Lal Rajwade Aged About 52 Years
Occupation - Field Assistant (Daily Wages), Water Resources, Sub Division
Darri Korba, District Korba Chhattisgarh. R/o Irrigation Colony Rampur Colony,
Korba, District Korba Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Water Resources Mantralaya, Mahanadi Bhawan, Naya Raipur, P.S. Abhanpur District Raipur Chhattisgarh.
2. Chief Engineer, Water Resource Department Sihawa Bhawan, Raipur District Raipur Chhattisgarh.

---- Respondents

For Petitioner : Mr. Atul Pandey, Advocate

For State : Mr. R.K. Gupta, Dy.A.G.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03.08.2018**

Heard.

1. This petition has been filed by the petitioner seeking a direction for consideration of his case for regularization under circular dated 05.03.2008 promulgated by the State Government.
2. Counsel for the petitioner would submit that the petitioner was initially appointed as Field Assistant in Water Resource Department on 01.01.1993. He was removed from service on 01.03.1995, which was challenged by filing an application before the Labour Court. By award dated 29.09.2010 of the Labour Court, he was again reinstated in

service by the respondent authorities and he joined on 16.09.2011.

3. It is submitted that in view of the decision passed by the Division Bench of this Court in the case of **Tukaram Vs. State of Chhattisgarh (WPC No.1703 of 2015 and batch of petitions)**, the petitioner shall be deemed to have continued in service from the initial date of appointment on 01.01.1993 by ignoring break in service.
4. It appears that there is no material on record to show that the petitioner has made any representation for consideration of his case for regularization. Therefore, the petitioner may approach the competent authority for consideration of his claim for regularization under circular dated 05.03.2008 issued by State Government.
5. Considering the petitioner's case for regularization, the respondent shall take appropriate decision in view of the decision rendered by this Court in the case of **Tukaram** (supra).
6. The petition is accordingly disposed off.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-