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HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (S) NO. 6098 OF 2018

Dhirendra Behar S/o Shri Dwarika Prasad Behar Aged About 45 Years Working As (Semi Skilled Labourer) At Nagar Panchayat, Sarangarh, Tahsil- Sarangarh, District- Raigarh, Chhattisgarh.

…Petitioner(s)

Versus

1. State of Chhattisgarh Through- Secretary Department Of Urban Administration And Development, Mahanadi Bhavan, New Raipur, District- Raipur, Chhattisgarh.
2. The Under Secretary Government Of Chhattisgarh, Department Of Urban Administration And Development Mahanadi Bhavan New Raipur, District- Raipur, Chhattisgarh.
3. The Joint Director Department Of Urban Administration And Development, Mahanadi Bhavan, New Raipur, District- Raipur, Chhattisgarh.
4. The Chief Municipal Officer Nagar Panchayat, Sarangarh, District- Raigarh, Chhattisgarh.

… Respondent(s)

For Petitioner	:	Shri Manoj Kumar Sinha, Advocate.
For Respondent-State	:	Shri SP Kale, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18.09.2018

1. The grievance of the petitioner is that, the petitioner has been working with the respondents since 1997 and till date as daily wage employee and that the respondents have not considered his claim for regularization in accordance with circular of the State dated 05.03.2008.
2. The counsel for the the petitioner submits that on an earlier occasion the petitioner had also preferred a writ petition WPS No.488 of 2013 which got disposed of on 28.02.2013 directing the respondents to consider and decide the representation of the petitioner, but till date no decision has been taken.
3. Given the aforesaid facts and circumstances of the case, this court is of the opinion that the authorities concerned cannot sit over the directives given by this court without taking any decision. Once when there has been

a direction given by this court, it is incumbent upon the authorities to take a decision in accordance with rules governing the field. Without further commenting on the inaction on the part of the respondents, this court is of the opinion that let the respondents No.3&4 take a decision on the claim of the petitioner for regularization keeping in view the circular of the State State dated 05.03.2008. The petitioner is further directed to make a fresh representation for his claim giving all necessary inputs including documents showing that he has been in continuous employment since the date of appointment. It is ordered that the authorities concerned shall this time act upon the directions given by this court by a suitable decision on the claim of the petitioner without showing any laxity in this regard.

4. Let this exercise be done within a period of 60 days from the date of receipt of certified copy of this order. It shall be the responsibility of the petitioner to apprise the respondent authorities so far as order of this court is concerned.

Sd/-
(P. Sam Koshy
Judge

inder