

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7385 OF 2018**

1. Pila Das @ Pila Ram S/o Rupau Das Satnami Aged About 44 Years R/o Bahungaon, Tehsil - Bemetara, District Bemetara Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Secretary, Urban Administration Department, Mantralaya, Naya Raipur, (Atal Nagar), District Raipur Chhattisgarh.
2. Municipal Council (Nagar Palik Parishad) Bemetara, Through Chief Municipal Officer, Bemetara, District Bemetara Chhattisgarh.
3. Mohindra Sahu Chief Municipal Officer, Bemetara, District Bemetara Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sanjay Patel, Advocate.
For Respondent-State	:	Shri DK Wankhede, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12.11.2018**

1. This is second round of litigation. The earlier round of litigation was WPS No.2264 of 2016.
2. The claim of the petitioner in that writ petition was for regularization. The said writ petition was allowed by this court on 16.05.2017 directing the respondents to consider the case of the petitioner for regularization. Subsequently the respondents acting upon the order passed by this court, granted benefit of regularization to the petitioner vide order dated 20.06.2018 regularizing the services of the petitioner.
3. Now the petitioner through the present writ petition is claiming benefit of regularization from the back date and also to grant seniority and promotion etc.

4. This court is of the opinion that the relief so sought for by the petitioner cannot be granted by way of a fresh petition. The petitioner ought to have sought for such relief at the first instance when he had filed WPS No.2264 of 2016. Moreover, the said relief is not one which can be granted by the High Court in exercise of its power under Article 226 of the Constitution of India.
5. Given the said factual matrix of the case, this court is not inclined to entertain this petition at this juncture. However, the respondents would not be precluded from deciding the representation which the petitioner has filed for ventilating his grievance. It is expected that the authorities would consider and decide the same at the earliest in accordance with rules.
6. With the aforesaid observations, the writ petition stands dismissed.

Sd/-
(P. Sam Koshy
Judge