

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(S) No. 7148 of 2018**

Smt. Firteen Bai, D/o. Shri Lalit Das, (W/o Shri Charan Das), Aged About 45 Years, Occupation-Mazdoor (Daily Wages) Office Of Executive Engineer, Hasdev Barrage, Water Resources Division, Rampur/ Korba, R/o I-1, Jungal Khatal, Dingapur, Police Station - Korba, District - Korba, Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Department Of Water Resources, Mahanadi Bhawan, Naya Mantralaya, New Raipur, Chhattisgarh.
2. Chief Engineer, Minimata (Hasdev) Bango Project, Water Resources Department, Bilaspur, Chhattisgarh.
3. Executive Engineer, O/o. Executive Engineer, Hasdev Baraj, Water Resources Division, Rampur/Korba, District - Korba, Chhattisgarh.
4. Sub Divisional Officer, Hasdev Barrage Water Resources, Sub Division Darri, Police Station - Darri, District - Korba, Chhattisgarh.

**---- Respondents**

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For Petitioner : Mr. Vinod Deshmukh, Advocate

For Respondent : Mr. R.N.Pusty, Dy. Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**02.11.2018**

1. The petitioner contends that she joined her services on 01.04.1990 at Hasdev Barrage, Water Resources Department and her services were terminated on 01.03.1995. It is stated that termination was subject of challenge before the Labour Court and the Labour Court thereafter reinstated the petitioner by an order dated 06.07.2013. Therefore, his services would be deemed to be continued so as to get the benefit of regularization pursuant to the circular dated 05.03.2008. It is contended that the similarly placed number of petitioners have been directed to be considered for regularization on the basis of the circular.

2. Learned State counsel submits that the case can be considered subject to the exception that if the appeal is filed and any interim order is passed then in such case, it cannot be considered.
3. Perused the documents connected to this petition. After perusal of the documents, prima facie, it shows that the petitioner was reinstated by an order dated 06.07.2013 and the Labour Court records that she joined her services in the month of April, 1990 and the services were terminated in 1995. In view of the same, subject to the just exception as has been contended by the State, the case of the petitioner be considered in the light of the circular dated 05.03.2008, which was issued for regularization of the services pursuant to the judgment of the Supreme Court in case of **Secretary, State of Karnataka & Others v. Umadevi & Others** reported in **2006 (4) SCC 1**.
4. In view of the above, the case of the petitioner may be considered in view of the circular dated 05.03.2008 by a duly constituted committee. It is further directed that the aforesaid decision may be arrived at within a further period of three months from the date of receipt of a copy of this order.
5. With such observation, the petition stands disposed of.

Sd/-  
(Goutam Bhaduri)  
Judge