

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7505 of 2018**

Gaitram Gond (Taram) S/o Sunder Lal Gond, Aged About 51 Years,
R/o Village- Ghoghre Post- Chhuriya, District- Rajnandgaon,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan Mantralaya, Naya Raipur, Chhattisgarh
2. Collector, Rajnandgaon, District- Rajnandgaon, Chhattisgarh
3. Janpad Panchayat Chhuriya Through Chief Executive Officer, Janpad Panchyat Chhuriya, District- Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Hemant Kesharwani, Advocate
For Respondent/State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15/11/2018**

The claim of the petitioner is for a direction to the respondents to consider the claim for regularization.

2. The contention of the petitioner is that he was initially appointed as a daily wage employee in September, 1997 and continued till October, 2005 when his services were terminated. Subsequently he challenged the termination order before the Labour Court vide case No. 129/I.D.Act/Reference/2012. The said dispute was finally concluded on

20.06.2008 where the petitioner got the relief of reinstatement in service without back wages. On his being terminated, there was a litigation before the High Court and by virtue of an interim order by the High Court, the petitioner had been reinstated in service and he is continuously working with the department since then and he has also an order in his favour from the Labour Court holding the termination to be bad in law.

3. Counsel for the petitioner submits that now the petitioner has already put in about 21 years of service, the respondents may be directed to consider the case of the petitioner in accordance with the circular of the State Govt. dated 05.03.2008.

4. Considering the aforesaid factual matrix of the case, this Court is of the opinion that let the respondents take a decision on the case of the petitioner for regularization in accordance with the circular of the State Govt. dated 05.03.2008 and all subsequent circulars in this regard. It is expected that the respondents would take a decision at the earliest preferably within a period of 4 months from the date of receipt of certified copy of this order.

5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE