

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 300 of 2017**

Smt. P. Grihlaxmi Yadav W/o Late Satya Rao Yadav, Aged About 61 Years R/o Ward No. 4, Kasturba Nagar, Bilaspur, Tahsil And District Bilapur, Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through Its Secretary, Women And Child Development Department, Indravati Bhawan, Naya Raipur, Tahsil And District Raipur, Chhattisgarh.
2. District Women And Child Development Officer, Bilaspur, Tahsil And District Bilaspur, Chhattisgarh.
3. District Programme Officer, Women And Child Development, District Centre - Bilaspur, Collectorate Bilaspur, Tahsil And District Bilaspur, Chhattisgarh.
4. Programme/ Project Officer, Development Of Women And Child In Rural Areas, District Centre - Bilaspur, Collectorate Bilaspur, Tahsil And District Bilaspur, Chhattisgarh.
5. Smt. Usha Soni, W/o Manish Soni, Maid, Child Protection Home, Nootan Chowk, Bilaspur, Tahsil And District Bilaspur, Chhattisgarh.
6. Smt. Asha Shinde, W/o Govind Ram Shinde, Maid, Child Protection Home, Janjgeer, District Janjgeer- Champa, Chhattisgarh.

---- Respondents

For Appellant : Shri Rajkamal Singh, Advocate.
 For Respondent/State : Shri UNS Deo, Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Prashant Kumar Mishra, Judge

Order on Board**31/07/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. Heard counsel for the parties.
2. The writ application of the Appellant/Petitioner which was for a direction upon the Respondent authorities to consider her case for regularization came to be dismissed by the learned Single Judge vide his order dated 19.06.2017.

3. The primary reason why the learned Single Judge seems to have dismissed the writ application is that earlier she had approached the High Court when she was disengaged/terminated as a Daily Wager way back in the year 1999. That writ application stood dismissed. The appeal against the said order stood dismissed and review application also stood dismissed. It is in this background that the learned Single Judge refused to get taken into the distinction sought to be made in the so-called relief made in the previous litigation and the present litigation, which, according to the counsel for the Appellant, is for regularization whereas in earlier case, it was termination.

4. The discrimination which the Appellant perceives may not be available keeping in mind that her very engagement in the very first place is not held to be legal and therefore, termination was also held to be legal. What cannot be achieved directly cannot be achieved indirectly. Even otherwise, she has not been in any kind of engagement under the State after the year 1999. Therefore, the 2008 circular also in relation to regularization may not come to her rescue, especially when she is not working in any capacity, much less a Daily Wager under the Respondent authorities for almost 2 decades.

5. The appeal has no merit. It is dismissed.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Prashant Kumar Mishra)
JUDGE