

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7997 of 2018**

1. Bhuneshwar Ram S/o Shri Guleshwar Ram Ram, Aged About 36 Years, Working as Post of Chowkidar at Govt. 50 Seater Tribal Welfare Department Ashram School Bedekona, Tahsil Bagicha, District : Jashpur, Chhattisgarh
2. Anil Kumar S/o Shri Sukhu Ram, Aged About 36 Years, Working as Chowkidar at Govt. 50 Seater Tribal Welfare Department Ashram School Kurua, Tahsil Bagicha, District : Jashpur, Chhattisgarh
3. Suresh Ram S/o Shri Ramkumar Yadav, Aged About 44 Years, Working as Waterman at Govt. 50 Seater Tribal Welfare Department Pre Metric Boys Hostel Raoni, Tahsil Bagicha, District : Jashpur, Chhattisgarh
4. Budhan Sai S/o Shri Baiga Ram, Aged About 40 Years, Working as Chowkidar at Govt. 50 Seater Tribal Welfare Department Pre Metric Boys Hostal, Kurdeg, Tahsil Bagicha, District : Jashpur, Chhattisgarh

---- Petitioners**Versus**

1. State of Chhattisgarh Through The Secretary Tribal Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Assistant Commissioner, Tribal Welfare Department Jashpur, District : Jashpur, Chhattisgarh
3. The Collector Jashpur, District Jashpur Chhattisgarh
4. Block Education Officer, Bagicha, District : Jashpur, Chhattisgarh

---- Respondents

For Petitioners : Shri Manoj Chauhan, Advocate

For State : Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05.12.2018**

1. The limited relief which the petitioners have sought is for a direction to the respondents to consider the case of the petitioners for regularization in the department.
2. According to the petitioners, they have been serving under the

respondents for the last more than 11 years and in the light of the judgment of the Hon'ble Supreme Court in the case of ***State of Karnataka and Others Vs. Umadevi (3) and Others, (2006) 4 SCC 1***, as a onetime major, the authorities should consider the case for regularization of such employees, whose appointment otherwise is not illegal.

3. Given the facts, which is not disputed by the State counsel, this Court is of the opinion that ends of justice would meet if writ petition stands disposed of with a direction to the respondents to consider the case of the petitioners for regularization keeping in view the observations of the Hon'ble Supreme Court in the case of *Umadevi* (supra)

4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge