

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 8046 of 2018**

1. Smt. Savita Yadav W/o Shri Shivpujan Yadav, Aged About 40 Years, Working As Rasoia And Posted At Pre Metric Schedule Tribes Boys Hostel, Manikchauri, Bilaspur, District Bilaspur, Chhattisgarh
2. Preetam Kumar Rai S/o Shri Narayan Prasad Rai, Aged About 43 Years, Working As Jalwahak And Posted At Pre - Metric Schedule Caste Boys Hostel, Bhatchoura, Bilaspur District Bilaspur Chhattisgarh
3. Bholadas S/o Bhajandas Satnami, Aged About 46 Years, Working As Jalwahak And Posted At Pre - Metric Schedule Caste Boys Hostel, Bhatchoura, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Tribal Development, Mahanadi Bhawan, Mantralaya New Raipur District Raipur Chhattisgarh
2. Assistant Commissioner, Department Of Tribal Development, Bilaspur, District Bilaspur, Chhattisgarh
3. Collector, Tribal Department, Bilaspur, District Bilaspur, Chhattisgarh
4. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh
5. Ashok Kumar Maravi S/o Belan Singh Gond Working As Peon, At Govt. Higher Secondary School, Marwahi, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For Respondent/State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06/12/2018**

The challenge in the present writ petition is the action of the respondents in not granting the benefit of regularization to the petitioners

though the benefit has been extended to a person junior to the petitioners i.e. respondent no.5.

2. Counsel for the petitioner submits that right from the time of appointment, the petitioners were either similarly placed or were senior to respondent no.5 but when the question of regularization came, ignoring the claim of the petitioners, only the case of respondent no.5 has been considered by respondent no.4. He further submits that the petitioners have already made a detailed representation to respondents no.2 in this regard and the same is pending consideration before the authority, therefore, prays for a direction to the respondents 2 & 4 to take an appropriate decision on the representation of the petitioners.

3. Given the aforesaid nature of dispute which the petitioners have raised in the present writ petition, this Court is of the opinion that no fruitful purpose would serve in admitting the petition and keeping it pending, rather ends of justice would meet if the respondents are directed to reconsider the grievance of the petitioner and pass an appropriate order at the earliest considering the objections and contentions which they have raised in their representation. The petitioners are directed to file a fresh representation in addition to the representation that they have already made, supported with all relevant documents in respect of their claim. Subject to the petitioners filing a fresh representation within a period of 10 days from the date of receipt of copy of this order, respondents 2 & 4 shall scrutinize the same on merits and pass a speaking order within a further period of 90 days thereafter.

4. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**