

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 85 of 2019

1. Ramvidyarthi Gupta S/o Shri Dharamdev Gupta Aged About 42 Years Working As Assistant Teacher (Panchayat), Govt. Primary School Chattanpara, Block Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
2. Vivek Kumar Gupta S/o Rambhagat Gupta Aged About 30 Years Working As Assistant Teacher (Panchayat), Govt. Primary School Murta, Block Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
3. Mahendra Gupta S/o Ganesh Prasad Gupta Aged About 40 Years Working As Assistant Teacher (Panchayat), Govt. Primary School Hakdopara Block Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
4. Mukesh Kumar Sinha S/o Shiv Prasad Sinha Aged About 42 Years Working As Assistant Teacher (Panchayat), Govt. Primary School, Raja Ata, Block - Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
5. Tulsi Gupta S/o Krishna Gupta Aged About 29 Years Working As Assistant Teacher (Panchayat), Govt. Primary School, Lichirama, Block - Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
6. Pramod Gupta S/o Durga Prasad Gupta Aged About 35 Years Working As Assistant Teacher (Panchayat), Govt. Primary School Pratapgarh, Block Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
7. Smt. Premkumari W/o Baijnath Aged About 40 Years Working As Assistant Teacher (Panchayat), Govt. Primary School Bhouradand, Block Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
8. Umesh Shankar Thakur S/o Mathura Thakur Aged About 35 Years Working As Assistant Teacher (Panchayat), Govt. Primary School Baheratoli, Block - Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

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Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Chief Executive Officer Zila Panchayat, Surugja, (Ambikapur), District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
3. The Chief Executive Officer Janpad Panchayat, Sitapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
4. The President Janpad Panchayat, Sitapur, District Surugja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

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For petitioner	:	Shri Harish Khuntiya, Advocate.
For State	:	Shri Rahul Mishra, Dy. GA

Hon'ble Shri Justice P. Sam Koshy
Order on Board

09/01/2019

1. The relief sought for by each of the petitioners in this writ petition is for a direction to the respondents to consider the candidature of the petitioners for regularization on the post of Assistant Teacher (Panchayat) w.e.f. 28.11.2009 i.e. immediately on their completing 2 years of service from the initial date of appointment.
2. Perusal of the record would show that the case of each of the petitioners had been scrutinized at the Janpad level and there is a resolution passed by the Janpad in favour of the petitioners vide resolution dated 14.08.2017. Later on, the respondent no.3 also i.e. the Chief Executive Officer, Janpad Panchayat, Sitapur has also recommended the case of the petitioners for regularization to the Chief Executive Officer, Zila Panchayat, Surguja i.e. the respondent No.2.
3. Though, a couple of recommendations have been made to the respondent No.2, but no decision has been taken by the authorities concerned, till date. The respondents, in turn, have filed a detail reply and along with the reply, there is this document Annexure R/3.8 dated 08.08.2018, which reflects that the Collector, who was appraised of the grievance of the petitioners has passed an order for due verification of the claim of the petitioners for regularization. That for the said purpose, the Collector has also constituted a committee, as is reflected from the document Annexure R/3.8.
4. During the course of hearing, the counsel appearing for the respondent No.3 also fairly submits that subject to the verification of the credentials of the petitioners, appropriate order would be passed so far as regularization is concerned, at the earliest.
5. Given the aforesaid submissions and contentions and also taking note of the document Annexure R/3.8, the correspondence made by the Collector, Surguja, this Court is of the opinion that it appears that the case of the petitioners are in the

process of consideration and subject to verification, their claim would be decided in accordance with the rules and regulations.

6. In view of the same, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petitions pending any further. Accordingly, these writ petitions stands disposed of with a direction to the respondent No.3 to take a decision at the earliest, of course subject to verification of the credentials of the petitioners as has been directed by the Collector, vide his order dated 08.08.2018.

7. It is expected that the authorities would conclude the verification part also at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order.

8. With the aforesaid observations, all these writ petitions stand disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit