

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 169 of 2019

1. Kunwar Say S/o Shri Thiru Ram, Aged About 35 Years, Through Working As Post Of Chowkidar, At Govt. Higher Secondary School, Bandarchuan, Tahsil- Kunkuri, District- Jashpur, Chhattisgarh.
2. Sailendra Kumar Banjare S/o Shri Akbar Das Banjare, Aged About 40 Years, Through Working As Post Of Chowkidar At Govt. Higher Secondary School, Gamhariya, Tahsil- Jashpur, District- Jashpur, Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Mantralya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The District Education Officer, Through Jashpur, District- Jashpur, Chhattisgarh.
3. The Collector, Through Jashpur, District- Jashpur, Chhattisgarh.
4. Block Education Officer, Through Kunkuri, District- Jashpur, Chhattisgarh.
5. Block Education Officer, Through Jashpur, District- Jashpur, Chhattisgarh.

---Respondents

For petitioners	:	Shri Nimesh Jha, Advocate.
For State	:	Shri Sameer Behar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/01/2019

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 are serving under the respondents for the last more than 10 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) & 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 off with a direction to the respondent No.2 to consider the case of the petitioners for regularization keeping in view the observations of the Hon’ble Supreme Court in the case of **“Uma Devi”** (supra) and also the circular of the State Government dated 05/03/2008 and any further circulars regarding regularization.

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

Sd/-

(P. Sam Koshy)
JUDGE

Sumit