

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 190 of 2019

1. Viranj (Viranch) Ram S/o Shri Bhikha Ram, Aged About 38 Years, Working As Post Of Rasoiya, At Govt. Pre Metric Boys Hostel Rauni, Tahsil Bagicha, District Jashpur, Chhattisgarh.
2. Kamal Sai Ram S/o Shri Budhna Ram, Aged About 30 Years, Working As Post Of Waterman, At Govt. Tribal Welfare Department Boys Hostel Bhitghara, Tahsil Bagicha, District Jashpur, Chhattisgarh.
3. Smt. Bitni Bai W/o Shri Mukhna Ram, Aged About 28 Years, Working As Post Of Waterman, At Govt. 50 Seator Pre Metric (Tribal) Girls Hostel Mahadevdand, Tahsil Bagicha, District Jashpur, Chhattisgarh.
4. Samir Kerketta S/o Shri Meelu Ram, Aged About 42 Years, Working As Post Of Waterman At Govt. 50 Seator Pre Metric (Tribal) Girls Hostel Kawai, Tahsil Bagicha, District Jashpur, Chhattisgarh.
5. Ku. Meli Bai D/o Shri Balsai, Aged About 28 Years, Working As Post Of Peon, At Govt. Tribal Welfare Department Girls Ashram Sanna, Tahsil Bagicha, District Jashpur, Chhattisgarh.
6. Jangal Ram S/o Shri Sudhi Ram, Aged About 30 Years, Working As Post Of Peon, At Govt. Pre Metric Tribal Boys Hostel Mahadevdand, Tahsil Bagicha, District Jashpur, Chhattisgarh.

---Petitioners

**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Tribal Welfare, Mantralaya, Mahanandi Bhawan, New Raipur, District 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

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

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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