

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 497 of 2019

Sanjeeb Kumar Rathore S/o Anjo Singh Rathore, Aged About 35 Years
R/o Village Nawagaon, Venket, Tahsil Lormi, District Mungeli,
Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh.
2. Chief Conservator Of Forest Aranya Bhawan, Medical College Road, Raipur, District Raipur Chhattisgarh.
3. Deputy Director Acchanakmar Tiger Reserve Lormi District Mungeli Chhattisgarh.

---Respondents

For petitioner	:	Mr. Vinod Kumar Sharma, Advocate.
For State	:	Mr. Saleem Kazi, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/01/2019.

1. The claim of the petitioner in the present writ petition is for grant of regularization. The petitioner has been denied regularization vide order dated 20/08/18.
2. The solitary ground on which the claim for regularization of the petitioner was not considered is that there appears to be some discrepancy so far as the qualification of 12th class which the petitioner has obtained, which as per record

is of 1998 and the record shows that the petitioner is in service as daily wage employee since 1995.

3. Undisputedly, as on date, the petitioner has a 12th certificate with him. The said certificate has not been held to be a fake certificate or a false certificate by any competent authority. From the date the petitioner has obtained the qualification, till date also he is in service. The said period also comes to be more than 30 years. Even on this basis the petitioner to claim for regularization at par with the other persons considered by the Department.

4. Given the facts the impugned order (Annexure P-1) to that extent is not sustainable and the same is set aside and the matter stands remitted back to the Department for a fresh consideration of the claim of the petitioner for regularization in accordance with the length of service that the petitioner has put and the circular of the State Government dated 5/03/08 and other circulars in respect of regularization.

5. Let this exercise be completed by the Department within a period of 90 days from the date of receipt of copy of this order.

6. Accordingly the petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Harneet