

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WRIT PETITION (S) NO. 605 OF 2019**

Smt. Ranjana Yadav, aged about 50 years, W/o Shri Dharmendra Yadu, R/o MIG No.57, Dr. Rajendra Prasad Nagar, Korba, Police Station- Korba, District Korba.

**... Petitioner**

**versus**

1. State of Chhattisgarh, through Secretary, Water Resources Department, Mantralaya, Naya Raipur, Raipur (CG)
2. Engineer-in-Chief, Department of Water Resources, Sihawa Bhawan, Civil Lines, Raipur, District Raipur (CG)
3. Chief Engineer, Minimata (Hasdeo), Bango Project, Department of Water Resources, District Bilaspur (CG)
4. Executive Engineer, Hasdeo Barage Water Management, Division-Rampur/Korba, District Korba (CG)

**... Respondents**

|                 |   |                                     |
|-----------------|---|-------------------------------------|
| For Petitioner  | : | Mr. S.P. Kale, Advocate.            |
| For Respondents | : | Mr. Chandresh Shrivastava, Dy. A.G. |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**16/08/2019**

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents for considering her claim for regularization.
2. Contention of the petitioner is that she was initially engaged with the respondents way back on 1.6.1990 and she continued to work with the respondents till 1.4.1995 when her services were abruptly discontinued.
3. The discontinuance part was subjected to challenge by the petitioner by raising an industrial dispute before the Labour Court, Korba in the year 2008 and the Labour Court finally vide its award dated 28.2.2011 passed in Case No. 8/I.D.Act/2008(Ref.) ordered for reinstatement of the petitioner without back-wages.
4. In compliance of the said award, the petitioner has been reinstated in services with effect from 1.8.2011.
5. According to the petitioner, now that she has been reinstated in services and she has been working since then continuously, her case should be considered for her regularization in services. Further contention of the

petitioner is that there are other similarly placed persons in the department whose services have already been regularized and therefore her case should also be considered for regularization on the ground of parity.

6. State Counsel submits that the aforementioned award dated 28.2.2011 passed by the Labour Court, Korba is already under challenge in W.P.(L) No. 5771/2011 and therefore the case of the petitioner could not be considered for regularization.

7. The said writ petition i.e. W.P.(L) No. 5771/2011 stands rejected by this Court vide order dated 16.8.2019 affirming the order passed by the Labour Court so far as reinstatement part is concerned. Since the petitioner has already been reinstated in services and the other identically placed persons have already been considered for regularization in services by the department, this Court does not find any good reason as to why the case of the petitioner has also not been considered for similar treatment.

8. Accordingly, the present writ petition is disposed of subject to verification of facts in respect of similarly placed persons. The respondents should consider the case of the petitioner for regularization within a period of four months from the date of receipt of copy of this order.

9. The writ petition accordingly stands disposed of.

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

/sharad/