

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3710 of 2016**

Dhan Singh Dahariya S/o Jagdev Dahariya, Aged About 54 Years R/o Village Dhanrasi, P.S. Raipur, District Raipur Chhattisgarh, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Ware Housing Corporation Through Its Managing Director, Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Raipur, Distirct Raipur Chhattisgarh, Chhattisgarh
2. Branch Manager, Chhattisgarh State Ware Housing Corporation, Raipur Mandir Hasaod, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Karmik Manager, Chhattisgarh State Ware Housing Corporation, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents**WPS No. 3712 of 2016**

Kanhaiya Lal Chouhan S/o Taituram, Aged About 54 Years R/o Village Kansa, P.S. Dabhra, District Janjgir Champa Chhattisgarh, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Ware Housing Corporation Through Its Managing Director, Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Raipur, Distirct Raipur Chhattisgarh, Chhattisgarh
2. Branch Manager, Chhattisgarh State Ware Housing Corporation Kharsiya, Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
3. Karmik Manager, Chhattisgarh State Ware Housing Corporation, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents**WPS No. 3713 of 2016**

Jeevan Das Bharti S/o Vijay Lal Bharti, Aged About 53 Years R/o Village Litiya, Post Bajrangpur, P.S. Nawagaon, District Rajnandgaon Chhattisgarh, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Ware Housing Corporation Through Its Managing Director, Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Raipur, Distirct Raipur Chhattisgarh, Chhattisgarh
2. Branch Manager, Chhattisgarh State Ware Housing Corporation, Bhanupratappur, District Kanker , District : Kanker, Chhattisgarh

3. Karmik Manager, Chhattisgarh State Ware Housing Corporation, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

WPS No. 3714 of 2016

Vijay Kumar Panchbhai S/o Shri Dwarika Prasad Panchbhai, Aged About 49 Years R/o Bharkapara, Ward No 26, District Rajnandgaon Chhattisgarh, Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Ware Housing Corporation Through Its Managing Director, Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Raipur, Distirct Raipur Chhattisgarh, Chhattisgarh
2. Branch Manager, Chhattisgarh State Ware Housing Corporation, Dhankhamhariya, District Bemetara Chhattisgarh, District : Balod, Chhattisgarh
3. Karmik Manager, Chhattisgarh State Ware Housing Corporation, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

WPS No. 3718 of 2016

Suresh Kumar Joshi S/o Ukahla Das Joshi, Aged About 45 Years R/o Village Mandir Hasaud P.S. Mandir Hasaud, District Raipur Chhattisgarh, Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Ware Housing Corporation Through Its Managing Director, Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Raipur, Distirct Raipur Chhattisgarh, Chhattisgarh
2. Branch Manager, Chhattisgarh State Ware Housing Corporation, Raipur Mandir Hasaod, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Karmik Manager, Chhattisgarh State Ware Housing Corporation, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

WPS No. 3731 of 2016

Sheikh Isrile Khan S/o Shri Ibrain Khan, Aged About 46 Years R/o Village Post Chitaud, District Balod Chhattisgarh, Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Ware Housing Corporation Through Its Managing Director, Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Raipur, Distirct Raipur Chhattisgarh, Chhattisgarh

2. Branch Manager, Chhattisgarh State Ware Housing Corporation, Village Chitaud, Distirct Balod Chhattisgarh, District : Balod, Chhattisgarh
3. Karmik Manager, Chhattisgarh State Ware Housing Corporation, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Raj Bahadur Singh, on behalf of Mr. Awadh Tripathi, Advocates
For Respondent	:	Mr. B. D. Guru, Advocate.

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

15/01/2019

1. All these writ petitions are being filed with a common relief by giving direction to the respondents to consider the claim of the petitioner for regularization being similar and identical are being disposed off by this common order.
2. The facts of the case is that all the petitioners before this Court in these bunch of writ petitions are working with the respondents corporation as daily wage employees since long. It is said that the petitioners worked initially engaged and with the respondents during period between 1993/1997 and they are still working with the respondents as daily wage employees.
3. The contention of the petitioners with the respondent corporation is also governed by the rules and regulations of the State Government and the guidelines and schemes which are floated by the State Government from time to time. According to the petitioners the case of the petitioner was liable to be considered in accordance with the circular pertaining to regularization dated 05/03/2008 and the subsequent circulars in this regard passed by the State Government.

4. Opposing the petition counsel for the corporation submits it is a case where the services of the petitioner was scrutinized by the corporation and it was found there was a break in service at a considerable period in between and which could not be taken into consideration for counting the total length of service of 10 years continuous service.
5. Taking into consideration the fact that the writ petition was filed in the year 2016 and down the line itself this petition pending before this Court for orders, the petitioners have put in an additional two years of service with the respondents. Under the circumstances, this Court is of the opinion that ends of justice would meet if all these writ petitions are disposed off with direction to respondent No. 1 to reconsider the case of all these petitioners for regularization at the earliest in the light of the petitioners having now put in considerable time with the respondents.
6. Keeping in view the circulars of the State Government dated 5/3/2008 and in other circulars which have been issued by the State Government in this regard, let respondents take a fresh decision at the earliest preferably within a period of 90 days. Authorities may sympathetically consider the case of the petitioners considering the length of service that they have put in.
7. With the aforesaid observations, writ petitions accordingly stand disposed off.

Sd/-

(P. Sam Koshy)
Judge