

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 838 of 2019**

Satish Kumar Pathak S/o Shri G.P. Pathak, Aged About 50 Years, R/o Irrigation Colony, Darri, Tahsil And Police Station Darri. District Korba, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Water Resources, mantralaya, Naya Raipur, Raipur, Chhattisgarh.
2. Engineer In Chief, Department Of Water Rasouces, Sihawa Bhawan, Civil Lines, Raipur, District Raipur, Chhattisgarh.
3. Chief Engineer, Minimata (Hasdeo) Bango Project, Department Of Water Resources, District Bilaspur, Chhattisgarh.
4. Executive Engineer, Hasdeo Barage, Water Management Division, Rampur /korba, district Korba, Chhattisgarh.

---- **Respondents**

For petitioner	:	Shri S. P. Kale, Advocate.
For State	:	Shri Saleem Kazi, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/02/2019

1. The limited relief sought for by the petitioner in the present writ petition is for a direction to the respondent to consider the claim of the petitioner for regularization at the earliest.
2. The facts of the case is that the petitioner was initially appointed as daily wage employee way back on 01/05/1989 and continued to serve the respondents till 01/02/1995. Subsequently the services stood discontinued.
3. The petitioner challenged the discontinuance before the labour Court and the labour Court passed an order in favour of the petitioner on 13/07/2011. The said order of the labour Court was challenged before the High Court in the Single

Bench initially allowed the petition of the State Government and set aside the award of the labour Court. However, subsequently in writ Appeal, Division Bench has set aside the order of the Single Bench and affirmed the order of the labour Court. The order of the Division Bench was challenged before the Supreme Court by the State Government where S.L.P. preferred was also dismissed vide (Annexure P-6) 13/09/2018 processed the claim of the petitioners for regularization till date no initial orders have been passed which led to the filing of the present writ petition. The fact that respondents have already processed the case of the petitioner for regularization vide (Annexure P-6) itself is sufficient to indicate that the department is in the process of considering the case of the petitioner for regularization.

4. Given the facts, this Court does not intend to keep this writ petition pending rather ends of justice would serve if the respondent No. 1 & 2 are directed to take an early decision in the case of the petitioner for regularization. It is expected that the authority shall take a decision within a period of 90 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed off.

vivek

Sd/-
(P. Sam Koshy)
JUDGE