

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1046 of 2019

Rooplal Verma S/o Kalangu Verma, Aged About 40 Years, R/o Village Katalwahi, District Rajnandgaon, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Water Resources, Mahanadi Mantralaya, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Chief Engineer, Mahanadi Godawari Kachhar, Department Of Water Resources, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
3. Executive Engineer, Department Of Water Resources, Chhuiekhadan, Civil And Revenue District Rajnandgaon, Chhattisgarh.

---Respondents

For petitioner	:	Shri Gary Mukhopadhyay, Advocate.
For State	:	Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/02/2019

1. The limited grievance which the petitioner has raised in the instant Writ Petition is the inaction on part of the respondents in not considering the claim of the petitioner for regularization.
2. The contention of the petitioner was that, he was initially engaged as Daily Wage Employee in the year 1991 and was later on discontinued. The discontinuance was subjected to challenge before the Labour Court which allowed his claim and held that the discontinuance was bad in law. Thereafter, the petitioner was reinstated in service in the year 2005 and since then he is continuously working till date.

3. The petitioner on an earlier occasion had filed Writ Petition (S) No. 3307/2013 which stood disposed off on 17/06/2014 whereby this Court had directed the respondents to consider the claim of the petitioner for regularization in the light of the circular dated 05/03/2008.
4. The contention of the petitioner is that, though there is specific direction to consider the case of the petitioner, till date no decision has been taken by the respondents.
5. Given the facts and circumstances of the case, the instant Writ Petition stands disposed off with a direction to the respondents No. 2 & 3 to take a decision in the case of the petitioner keeping in view the directions given by this Court on in the case of **Amir Ram & Ors. v. State of Chhattisgarh & Ors.** [WPS No. 3307/2013 d/on 17/06/2014] also the judgments passed by the Hon'ble Supreme Court in the case of **Secretary, State of Karnataka & Ors. v. Umadevi (3) & Ors.** [2006 4 SCC 1] and also in the case of **Narendra Kumar Tiwari v. State of Jharkhand** [2018 8 SCC 238].
6. Let this exercise be done within a period of 90 days from the date of receipt of copy of this order.
7. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE