

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1468 of 2019

1. Smt. Shilavati W/o Shri Tek Ram Aged About 39 Years Working As Post Of Waterman At Govt. New Higher Secondary School Patratoli, Tahsil- Jashpur, District- Jashpur, Chhattisgarh.
2. Mamta Bai D/o Shri Ratnu Ram Aged About 35 Years Working As Post Of Waterman At Govt. New Higher Secondary School Patratoli, Tahsil- Jashpur, District- Jashpur, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. District Education Officer, Jashpur, District- Jashpur, Chhattisgarh.
3. The Collector, Jashpur, District- Jashpur, Chhattisgarh.
4. Block Education Officer Jashpur, District- Jashpur, Chhattisgarh.

---Respondents

AND

WPS No. 1480 of 2019

Indumati Kiran Tigga D/o Shri Piyus Tigga Aged About 39 Years Working As Post Of Peon At Govt. Pre Metric Girls Hostel Ludeg, Tahsil Pathalgaon, District Jashpur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Tribal Welfare Department, Mantralaya Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Assistant Commissioner Tribal Welfare Department Jashpur District Jashpur Chhattisgarh.
3. The Collector Jashpur, District Jashpur Chhattisgarh.
4. Block Education Officer, Pathalgaon, District Jashpur Chhattisgarh.

---Respondents

AND

WPS No. 1484 of 2019

1. Shravan Kumar Nayak S/o Shri Angnu Ram Nayak Aged About 32 Years Working As Post Of Rasoiya At Govt. Girls High School Pandripani, Tahsil Farsabahal, District Jashpur Chhattisgarh

2. Krishna Nayak S/o Shri Lallu Ram Aged About 36 Years Working As Post Of Chowkidar, At Office Of The Block Education Officer, Farsabahar, Tahsil Farsabahar, District Jashpur Chhattisgarh

---- **Petitioners**

Versus

1. State Of Chhattisgarh Through The Secretary, Tribal Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur District Raipur Chhattisgarh
2. Assistant Commissioner Tribal Welfare Department Jashpur District Jashpur Chhattisgarh
3. The Collector Jashpur District Jashpur Chhattisgarh
4. Block Education Officer Farsabahar, District Jashpur Chhattisgarh

---**Respondents**

AND

WPS No. 1661 of 2019

1. Ramdhan Sai S/o Shri Samal Sai, Aged About 38 Years Working As Post Of Rasoia At Government Post Metric Girls Hostel Kunkuri, Tahsil - Kunkuri, District Jashpur Chhattisgarh.
2. Paradish Minj S/o Shri Anand Masih Minj, Aged About 38 Years Working As Post Of Chowkidar At Government Post Metric Girls Hostel Kunkuri, Tahsil - Kunkuri, District Jashpur Chhattisgarh.
3. Bashanti Tigga, W/o Shri Piyus Tigga, Aged About 47 Years Working As Post Of Rasoia At Government Kanya Krida Parishar Hostel Jashpur, Tahsil - Jashpur, District Jashpur Chhattisgarh.
4. Smt. Shobha Tirkey W/o Shri Pradip Tirkey, Aged About 44 Years Working As Post Of Rasoia At Government Kanya Krida Parishar Hostel Jashpur, Tahsil - Jashpur, District Jashpur Chhattisgarh.
5. Rameshwar Ram, S/o Shri Lalram Aged About 38 Years Working As Post Of Chowkidar At Government Kanya Krida Parishar Hostel Jashpur, Tahsil - Jashpur, District Jashpur Chhattisgarh.
6. Rampyari Bai, D/o Shri Baisakhu Ram, Aged About 36 Years Working As Post Of Water Man At Government Kanya Krida Parishar Hostel Jashpur, Tahsil - Jashpur, District Jashpur Chhattisgarh.
7. Raimund Minj S/o Shri Albert Minj Aged About 38 Years Working As Post Of Chowkidar At Government Post Metric Girls Hostel Pathalgaon, Tahsil - Pathalgaon, District Jashpur Chhattisgarh.
8. Minzo Bai D/o Shri Amrit Sai Aged About 34 Years Working As Post Of Rasoia At Government Pre. Metric Girls Hostel Pathalgaon, Tahsil - Pathalgaon, District Jashpur Chhattisgarh.
9. Pascal Minz S/o Shri Philmon Minz Aged About 47 Years Working As Post Of Chowkidar At Government Post Metric Hostel Pathalgaon Tahsil And District Jashpur Chhattisgarh.

10. Smt. Fulorina Bai W/o Shri Bidduram Aged About 43 Years Working As Post Of Chowkidar At Govt. Pre. Metric Girls Hostel Surangpani, Tahsil Pathalgaon, District Jashpur Chhattisgarh.
11. Rojlina Panna, D/o Shri Pascal Aged About 45 Years Working As Post of Waterman at Govt Post Metric Girls Hostel Pathalgaon, Tahsil Pathalgaon, District Jashpur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Tribal Welfare Department, Mantralya, Mahanadi Bhawan New Raipur Chhattisgarh.
2. Assistant Commissioner, Tribal Welfare Department Jashpur, District Jashpur Chhattisgarh.
3. The Collector, Jashpur, District Jashpur Chhattisgarh.

---Respondents

AND

WPS No. 1662 of 2019

1. Smt. Geeta Bai W/o Shri Hatkehswar Ram Aged About 34 Years Working As Post Of Chowkidar At Govt. Tribal Welfare Department Boys Ashram Balajhar, Tahsil - Pathalgaon, District Jashpur Chhattisgarh.
2. Vimla Chouhan D/o Shri Budhnath Ram Aged About 36 Years Working As Post Of Choukidar At Govt. Higher Secondary School Bagbahar, Tahsil - Pathalagaon, District Jashpur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Tribal Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh.
2. Assistant Commissioner, Tribal Welfare Department Jashpur, District Jashpur Chhattisgarh.
3. The Collector Jashpur, District Jashpur Chhattisgarh.
4. Block Education Officer Pathalgaon, District Jashpur Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Manoj Chouhan, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/03/2019

1. The limited relief which the petitioners in these writ petitions have sought is for a direction to the respondents to consider the case of the petitioners for regularization in the department.
2. According to the petitioners, they have been serving under the respondents for the last more than 10 years and in the light of the judgment of the Hon'ble Supreme Court in the case of "***State of Karnataka and Others Vs. Umadevi (3) & Others***", 2006(4) SCC 1, as a onetime measure, the authorities should consider the case for regularization of such employees, whose appointment otherwise is not illegal.
3. Given the facts, which is not disputed by the State counsel, this Court is of the opinion that ends of justice would meet if writ petitions stand disposed of with a direction to the respondent No.2 to consider the case of the petitioners for regularization keeping in view the observations of the Hon'ble Supreme Court in the case of "***Uma Devi***" (supra).
4. With the aforesaid observations, the present writ petitions stand disposed off.

(P. Sam Koshy)
Judge

Ved