

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3474 of 2019

Radhelal Sahu S/o Shri Charma Ram Sahu Aged About 45 Years R/o Village Kalmi, Post Malkharoda, Tehsil- Malkharouda, Police Station- Malkharoda, District- Janjgir-Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Social Welfare Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
2. Director Department Of Social Welfare, D.K.S. Bhawan, Raipur, Chhattisgarh.
3. Deputy Director Department Of Social Welfare, Jila Panchayat Campus, District- Janjgir-Champa, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. S.P. Kale, Advocate along with Mr. K.P.S. Gandhi, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

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

08/05/2019

1. The relief sought for by the petitioner in the present writ petition is for an appropriate direction to the respondents to consider the case of the petitioner for regularization.
2. According to the petitioner, he has been working with the respondents as a daily wage employee since 17.11.2006 onwards, as such he has put in about more than 12 years of service as a daily wage employee.
3. According to the petitioner, in view of the circular dated 05.03.2008 and the subsequent circulars issued in respect of regularization, the respondents ought to have considered the claim of the petitioner also for regularization, but till date the petitioner's claim has not been finalized or considered by the Department. The petitioner further submits that there are also sanctioned

vacant post available with the Department, against which the petitioner could have been regularized.

4. Given the aforesaid factual matrix of the case, this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending, rather ends of justice would meet if the writ petition is disposed of directing the respondents No. 2 & 3 to take a decision so far as the regularization of the petitioner is concerned at the earliest and thereafter an appropriate order be passed in this regard.
5. Accordingly, the present writ petition stands disposed of with a direction to the respondents No.2 & 3 to consider and decide the claim of the petitioner in the light of the circular of the State Government dated 05.03.2008 and the subsequent circulars in this regard and also the judgment of the Hon'ble Supreme Court in the case of ***"Narendra Kumar Tiwari & Ors. v. State of Jharkhand & Ors."* (2018) 8 SCC 238.**
6. Let an appropriate decision be taken by the respondents at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved