

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) No. 5970 of 2019**

- Smt. Lata Devi Khandey, W/o Shri Anand Khandey, age about 43 years, R/o Ward No.8, beside Sabji Market, Akaltara, Tahsil & Police Station – Akaltara, District Janjgir-Champa (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Department of Urban Administration and Development, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur (CG)
2. Director, Department of Urban Administration and Development, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur (CG)
3. Chief Municipal Officer, Nagar Palika Parishad, Akaltara, District Janjgir-Champa (CG)

... Respondents

For Petitioner	:	Mr. K.P.S. Gandhi, Advocate.
For Respondents	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/08/2019**

1. Learned Counsel for the Petitioner submits that the default occurred in the filing of the present writ petition has since been removed.
2. With the consent of the parties, heard the matter finally at the admission stage itself.
3. 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.
4. According to the Petitioner, she has been working with the Respondents as a daily wage employee since 2007 onwards, as such she has put in about more than 12 years of service as a daily wage employee.
5. According to the Petitioner, in view of the circular dated 5.3.2008 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 posts available with the department against which the Petitioner could have been regularized.

6. 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 itself is disposed of with a direction to 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.

7. Accordingly, the present Writ Petition stands disposed of with a direction to Respondents No. 2 & 3 to consider and decide the claim of the Petitioner in the light of the circular of the State Government dated 5.3.2008 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.

8. 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.

9. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

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