

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5897 of 2019**

1. Dev Das Manikpuri, S/o Shri Mangal Das Manikpuri, Aged About 42 Years, Labour R/o Village Tharakpur, Post Office, Oatiyapali, Tahsil Kartala, District: Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of P.W.D. Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Executive Engineer, P.W.D. Division Korba Chhattisgarh
3. Sub Divisional Officer, P.W.D. Sub Division No.2, Bharsma, District Korba Chhattisgarh

... Respondents

For Petitioner	:	Mr. Ritesh Verma, Advocate.
For Respondents	:	Mr. P. Acharya, Panel Lawyer.

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

1. With the consent of the parties, the matter is heard finally at the admission stage itself and disposed off.
2. 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.
3. According to the Petitioner, he has been working with the Respondents as a daily wage employee since 1998 onwards, as such he has put in about more than 21 years of service as a daily wage employee.
4. 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.

5. 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 off 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.
6. Accordingly, the present Writ Petition stands disposed off 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.
7. 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.
8. With the aforesaid observations, the present Writ Petition stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE