

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6303 of 2019**

Ganesh Prasad Bhoi S/o Late Latel Ram Bhoi, Aged About 53 Years,
R/o Village And Post Baloda, District Janjgir -Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, Chhattisgarh
2. The Chief Conservator Of Forest, Aranya Bhawan, North Block Sector 19, Atal Nagar, New Raipur, Chhattisgarh
3. The Divisional Forest Officer, Forest Division, Champa, District Janjgir – Champa, Chhattisgarh
4. The Range Officer, Forest Range, Sakti, District Janjgir-Champa Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Goutam Khetrapal, Advocate.
For State	:	Ms. A. Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****21.08.2019**

1. The claim of the petitioner is for an appropriate direction to the respondents to consider the case of the petitioner for regularization.
2. The contention of the counsel for the petitioner is that the petitioner was initially appointed in July, 1986 and he continued to work under the Department till December, 1993. Thereafter, the services of the petitioner were abruptly discontinued. The discontinuance of service was challenged before the Labour Court by raising a dispute. The

dispute was referred by the State Govt. to the Labour Court in the year 2013. The Labour Court passed an award on 06.04.2015 granting the benefit of reinstatement without back wages but with continuity in service. The State authority did not further challenge the award of the Labour Court and reinstated the petitioner in service on 22.07.2015 and since then the petitioner is working with the respondents.

3. According to the counsel for the petitioner, considering the directives given by the Labour Court whereby the petitioner has been granted the benefit of continuity in service and the initial date of appointment being July, 1986, the petitioner is entitled for regularisation in terms of the circular of the State Govt. dated 05.03.2008. According to the petitioner, his claim for regularization has till date not been considered by the respondents.
4. Given the aforesaid facts of the case, particularly taking note of the award of the Labour Court dated 06.04.2015 wherein there is a specific relief of reinstatement with continuity of service, the case of the petitioner also requires consideration.
5. Accordingly, the present writ petition stands disposed of with a direction to the respondents to consider the claim of the petitioner in the light of the circular dated 05.03.2008. While deciding the same, the Authority concerned would keep in mind the award of the Labour Court dated 06.04.2015. Let an appropriate decision be taken as early as possible preferably within a period of 4 months from the date of receipt of copy of this order.

Sd/-
P. Sam Koshy
Judge