

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 8359 OF 2018**

1. Dewanand Ram S/o Shri Kundan Ram Aged About 33 Years Working As Post Of Chowkidar At Govt. Tribal Welfare Department Ashram School Kurumdhoda, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
2. Bindheshwar Ram S/o Shri Bifnath Ram Aged About 43 Years Working As Post Of Chowkidar At Govt. 50 Seatar Tribal Welfare Department Post Metric Girls Hostel Sanna, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
3. Baspati Bai D/o Shri Ramjit Ram Aged About 30 Years Working As Post Of Waterman At Govt. 50 Seatar Tribal Welfare Department New Post Metric Girls Hostel Sanna, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
4. Puti Bai D/o Late Shri Baijnath Ram Aged About 38 Years Working As Post Of Rasoia At Govt. Tribal Welfare Department New Post Metric Girls Hostel Sanna, Tahsil Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
5. Narayan Kumar S/o Shri Dinkhu Ram Aged About 34 Years Working As Post Of Chowkidar At Govt. High School Kodopara, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
6. Jagdish Ram S/o Shri Dinkhu Ram Aged About 32 Years Working As Post Of Chowkidar At Govt. Meddile School Pandrapath, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
7. Savitri Bai D/o Shri Ratiya Ram Aged About 28 Years Working As Post Rasoia At Govt. Tribal Welfare Department Girls Ashram Sanna, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
8. Koushlya Bai D/o Shri Sukhlal Ram Aged About 28 Years Working As Post Of Waterman At Govt. Girls Hostel Sanna, Tahsil Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
9. Gunjan Ram S/o Shri Biran Ram Aged About 34 Years Working As Post Of Choukidar At Govt. Pre Metric Boys Hostel Rauni, Tahsil - Bagicha, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioners**Versus**

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

... Respondent(s)

WRIT PETITION (S) NO. 8370 OF 2018

1. Loknath Ram S/o Shri Jatru Ram Aged About 42 Years Working As Post Of Rasoia At 50 Seater Tribal Welfare Department Sanyukt Ashram School Sonkyari, Tahsil - Manora, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
2. Jagarnath Ram S/o Shri Kola Ram Aged About 35 Years Working As Post Of Chowkidar At 50 Seater Tribal Welfare Department Sanyukt Ashram School Sonkyari, Tahsil - Manora, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
3. Sushila Bai D/o Shri Pardesiya Ram Aged About 31 Years Working As Post Of Rasoia At Government Tribal Welfare Department Boys Ashram School Jhargaon, Tahsil - Manora, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
4. Mangal Sai S/o Jhimna Ram Aged About 35 Years Working As Post Of Rasoia At Government Tribal Welfare Department Girls Ashram School Kharsota, Tahsil - Manora, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
5. Ramesh Ram S/o Shri Lamru Ram Aged About 36 Years Working As Post Of Rasoia At Government Tribal Welfare Department Girls Ashram School Sogda, Tahsil - Manora, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioners

Versus

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

... Respondent(s)

WRIT PETITION (S) NO. 8403 OF 2018

1. Mahesh Kumar S/o Shri Sundra Ram Aged About 50 Years Working As Post Of Peon At 50 Seater Tribal Welfare Department Pre Metric Girls Hostel Khuntitoli, Tashil- Jashpur, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
2. Tejani Bai D/o Shri Lalakku Ram Aged About 36 Years Working As Post Of Rasoia At 50 Seater Tribal Welfare Department Pre Welfare Department Pre Metric Girls Hostel Khuntitoli, Tahsil Jashpur, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
3. Mangal Sai Ram S/o Shri Medhu Ram Aged About 31 Years Working As Post Of Waterman At 50 Seater Tribal Welfare Department Post Metric Boys Hostel Tapkara, Tahsil Farsabahal, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
4. Ratan Singh S/o Shri Shriram Aged About 36 Years Working As Post Of Waterman At 50 Seater Tribal Welfare Department Post Metric Boys

Hostel Pandripani, Tahsil Farsabahar, District Jashpur, Chhattisgarh.,
District : Jashpur, Chhattisgarh

5. Alita Bai D/o Shri Ronha Ram Aged About 35 Years Working As Post Of Rasoia At 50 Seater Tribal Welfare Department Pre Metric Girls Hostel Khuntitoli, Tahsil Jashpur, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
6. Dashrath Ram S/o Shri Tahlum Ram Aged About 36 Years Working As Post Of Waterman At 50 Seater New Tribal Welfare Department Pre Metric Girls Hostel Tapkara, Tahsil Farsabahar, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
7. Dilip Sai S/o Shri Raghu Sai Ram Aged About 44 Years Working As Post Of Waterman At 50 Seater Tribal Welfare Department Pre Metric Girls Hostel Tapkara, Tahsil Farsabahar, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
8. Mukesh Nayak S/o Shri Salit Ram Nayak Aged About 34 Years Working As Post Of Rasoia At 50 Seater Tribal Welfare Department Pre Metric Girls Hostel Tapkara, Tahsil Jashpur, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
9. Ramprasad Hasda S/o Late Shri Kante Ram Aged About 52 Years Working As Post Of Waterman At 50 Seater New Tribal Welfare Department Post Metric Boys Hostel Tapkara, Tahsil Jashpur, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- **Petitioners**

Versus

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

... **Respondent(s)**

And

WRIT PETITION (S) NO. 8407 OF 2018

1. Liladhar Ram S/o Shri Ratu Ram Aged About 31 Years Working As Post Of Rasoia At Govt. 50 Seater Tribal Welfare Department Ashram School Rokrapath, Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
2. Damrudhar Ram S/o Shri Keshbo Ram Aged About 33 Years Working As Chowkidar At Govt. 50 Seater Tribal Welfare Department Ashram School Rokrapath, Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
3. Triloki S/o Shri Ramkumar Aged About 30 Years Working As Waterman At Govt. 50 Seater Tribal Welfare Department Post Metric Boys Hostel

Sanna, tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

4. Manbahal S/o Shri Madan Ram Aged About 32 Years Working As Chowkidar At Govt. 50 Seater Tribal Welfare Department Boys Hostel Dobh, Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
5. Rajkumar S/o Shri Pandey Ram Aged About 30 Years Working As Rasoia At Govt. 50 Seater Tribal Welfare Department Ashram School Bedekona, Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
6. Ravinath Singh S/o Shri Devnath Singh Aged About 35 Years Working As Rasoia At Govt. 50 Seater Tribal Welfare Department Pre Metric Girls Hostel Kawai, Tahsil- Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
7. Manohar Singh S/o Shri Trilochan Singh Aged About 38 Years Working As Rasoia At Govt. 50 Seater Tribal Welfare Department Girls Ashram School Jurgum, Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
8. Dilip Kumar Kachyap S/o Shri Rambabu Aged About 32 Years Working As Waterman At Govt. 50 Seater Tribal Welfare Department Girls Hostel Kamarima, Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
9. Budhnath Ram S/o Shri Sastu Ram Aged About 35 Years Working As Waterman At Govt. 50 Seater Tribal Welfare Department Boys Ashram Gurumhakona Tahsil Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- **Petitioners**

Versus

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

... **Respondent(s)**

For Petitioners	: Shri C. P. Lahre, Advocate.
For Respondent-State	: Ms. Sunita Jain, PL.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.01.2019

1. Since the issue involved in all these writ petitions are identical and the relief sought for also being the same and the respondents are also

being the same, this Court is disposing of these writ petitions by a common order.

2. The petitioners have filed the present writ petitions seeking for a direction from the respondents for considering the case of the petitioners for grant of benefit of regularization and the benefit that would fall upon the petitioners on completing ten years of service. According to the petitioners the department has issued two circulars dated 12.09.2011 and 20.09.2011 whereby it has been clearly reflected that the persons who are initially engaged as daily wage employee would be considered for grant of regular pay scale on completion of three years of service and thereafter, their services can be considered for regularization on completing ten years of service on the regular pay scale. According to the petitioners, the benefits so envisaged in the circulars have not been extended to the petitioners and pray for direction to consider the claim of the petitioners in light of these circulars.

3. Since the claim of the petitioners till date has not been rejected, this Court is of the opinion that ends of justice would meet if the respondents No. 1 and 2 are directed to consider the claim of the petitioners for grant of benefits as per the circulars dated 12.09.2011 and 20.09.2011. Let an appropriate decision be taken by the department within a period of three months from the date of receipt of copy of this order. The petitioners would also be at liberty to file a detailed representation to the respondents No. 1 and 2 in respect of their claim supported with all the relevant circulars along with copy of order of this Court within a period of three weeks from today.

4. It is made clear that this Court has not expressed any opinion so far as the merit of the case and the entitlement of the petitioners are concerned. The authorities concerned would be at liberty to take a decision in accordance with law, rules and circulars governing the scheme.

5. With the aforesaid observation, the writ petitions stand disposed of.
No costs.

Sd/-

(P. Sam Koshy)
Judge