

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9860 of 2019

Lalaram Chandravanshi S/o Shri Kheduram Chandravanshi Aged About 49 Years R/o Village Kanjheta, Tahsil Pandariya, Post Kolegaon, District : Kawardha (Kabirdham), Chhattisgarh **--- Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhavan, Mantralaya, Atal Nagar, New Raipur, District - Raipur District : Raipur, Chhattisgarh
2. Divisional Forest Officer, Forest Division, Kabirdham, District : Kawardha (Kabirdham), Chhattisgarh **--- Respondents**

For the Petitioner	: Mr. H.B. Agrawal, Sr. Advocates with Ms. Preeti Yadav, Advocate.
For the Respondents	: Mr. Soumya Rai, Panel Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.11.2019

1. This petition has been filed by the petitioner seeking a direction for consideration of his case for regularization under Circular dated 05.03.2008 promulgated by the State Government.
2. Learned counsel for the petitioner submits that the petitioner was initially appointed as daily wage employee in the year in the year 1992 in the west forest range, Pandariya. He was retrenched from service on 18.02.2002, which was challenged by filing an application before the Labour Court. Vide order dated 29.03.2011 an award of reinstatement was passed in favour of the petitioner. He would submit that the petitioner has been reinstated also.
3. It is submitted that in view of the decision passed by the Division Bench of this Court in the case of Tukaram Vs. State of Chhattisgarh (WPC No.1703 of 2015

and batch of petitions), the petitioner shall be deemed to have continued in service from the initial date of appointment in the year 1992 by ignoring break in service.

4. It appears that the petitioner has been reinstated pursuant to the award of the Labour Court passed on 29.03.2011. There is no material on record to show that the petitioner has made any representation for consideration of his case for regularization. Therefore, the petitioner may approach the competent authority for consideration of his claim for regularization under circular dated 05.03.2008.
5. While considering the petitioner's for regularization, the respondent shall treat the petitioner to be continued in service since his initial date of appointment i.e., 1992 and then appropriate decision be taken in the matter.

Sd/-
(GOUTAM BHADURI)
JUDGE