

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8465 of 2018**

1. Tarachand Sethiya S/o Shyamoghno Sethiya Aged About 38 Years R/o Nagpur Road, Niyanar, Sundepara, Tahsil Jagdalpur, District- Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
2. Prafull Kumar Kewart S/o Nityanand Kewart Aged About 43 Years R/o Maharshi Ashram Gali,ankuldev Wardno. 31 Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
3. Johar Ram Netam S/o Jethuram Netam Aged About 47 Years R/o Junepara Sargipal Bastar,tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
4. Budhsan Majhi S/o Mandhar Manghi Aged About 43 Years R/o 78 Majhipara Baniyagaon,tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
5. Santram Markandey S/o Late Gilashram Markndey Aged About 4 Years R/o 101 Dhdrepal, Tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
6. Shridhar Nag S/o Nehruram Nag, Aged About 42 Years R/o 7, Sanjay Gandhi Ward No. 34, Bodhgaht, Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
7. Dayanand Thakur S/o Shri Balihar Thakur Aged About 41 Years R/o Dogaon,tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
8. Kamaluram Nag S/o Fandoram Nag Aged About 44 Years R/o Gurugovind Singh Ward36, Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
9. Lalram Sinha S/o Lekhan Sinha Aged About 35 Years R/o Village Baghanpal,tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
10. Lakhanu Baghel Loknath Baghel Aged About 39 Years R/o Village Ghotiya,tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
11. Manoj Kumar Das S/o Madhav /das Aged About 31 Years R/o Jawahar Nagar Ward Jagdalpur,tahsil-Jagdalpur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

12. Damru Yadav S/o Ganesh Yadav Aged About 39 Years R/o Chhatrapati Shivaji Ward 35,jagdapur,tahsil-Jagdapur, Distric- Bastar, Chhattisgarh., District : Bilaspur, Chhattisgarh
13. Mohan Yadav S/o Dashrath Yadav Aged About 44 Years R/o Veer Sawarkar Ward, Jagdalpur,tahsil-Jagdapur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdapur), Chhattisgarh
14. Ramadhar Kashyap S/o Dashmu Kashyap Aged About 42 Years R/o Village Muriyapara Para, Pandripani,tahsil-Jagdapur, Distric- Bastar, Chhattisgarh., District : Bastar(Jagdapur), Chhattisgarh

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Versus

1. State Of Chhattisgarh Through Secretary,department Of Forest, Mantralaya, Aranya Bhawan,sector-19,north Block New Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Additional Principal Chief Conservator Of Forest Office Of Chief Conservator, Jagdalpur, Circle Jagadalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdapur), Chhattisgarh
3. Divisional Forest Officer Forest Division, Bastar Jagadalpur, Tahsil Jagadalpur, District- Bastar, Chhattisgarh.
4. Depot Officer (Kastagar Aadhikari) Forest Depot Sargipal,jagadalpur, Tahsil Jagadalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdapur), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. R. N. Jha, Advocate
For State	:	Mr. Arvind Dubey, PL

Hon'ble Shri Justice P. Sam Koshy
Order on Board

12/04/2019

1. The relief sought for in the present wit petition is for appropriate direction to the respondents to consider the claim of the petitioner for regularization in service.

2. All the petitioners herein are working as a daily wage employees under the respondent No. 4 and all the petitioners have completed more than 10 years of service and few of them have completed even 15 years and 20 years of service.
3. Counsel for the petitioner submits that the department ought to have taken into consideration the circular of the State Government dated 05/03/2008 and subsequent circulars issued by the State Government dealing with the regularization and consider the case of the each of the petitioners and should regularize them.
4. Counsel for the petitioner further relied upon the decision of the Supreme Court in the case of **Secretary, State of Karnataka and others Vs. Uma Devi (3) and others, 2006 (4) SCC 1**, and submitted that even the Supreme Court in the said judgment directed the State Government to consider regularization of all those persons who have completed more than 10 years of service as a one time measure.
5. Given the aforesaid factual matrix of the case and documents exhibit P-3 enclosed along with the writ petition which is the document which has been issued by the respondent No. 3, it clearly reflects that each of the petitioners have completed more than 10 years of service and a few of the petitioners have even completed more than 15 years and 20 years of service.
6. Given the aforesaid facts, this Court is of the opinion that respondents are duty bound to consider the case of the petitioners for regularization and pass a suitable order based on the circular of the State Government dated 05/03/2008 and the subsequent circulars issued in respect of the regularization.

7. Let respondent No. 1 & 2 scrutinise the case of the each of the petitioners in the light of the circular dated 05/03/2008 and subsequent circulars dealing with the regularization and pass an appropriate order at the earliest preferably within a period of four months from the date of receipt of copy of this order so far as the regularization of service of the each of the petitioners are concerned. The petitioners in addition, are directed to apprise the respondent No. 1 & 2 so far as the order passed by this Court is concerned along with any representation if any they intend to make.
8. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit