

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 881 of 2020**

- Dwarika Ram Chadel S/o Late Gopal Ram Chandel Aged About 47 Years Posted As Labour At Public Works Department Chhuikhandan District Rajnandgaon Chhattisgarh Resident Of Village Jhuranadi Post Shakha Tahsil Chhuikhandan District Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur Chhattisgarh
2. Engineer In Chief (B/r) Public Works Department Mahanadi Bhawan New Raipur, District- Raipur Chhattisgarh
3. Executive Engineer Public Work Department (B/r) Sub Division Khairagarh, District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner : Shri F.S. Khare, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/02/2020**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner was initially appointed in the year 1995 and he was removed in the year 2000, which led to filing of reference before the Labour Court under the Industrial Disputes Act, wherein the award was passed by the Labour Court on 08.12.2001. He would further submit that the petitioner was reinstated in the year 2001, thereafter, he is working as Chowkidar in the Public Works Department till date. He would further submit that the petitioner has not been regularized despite the existing

circular of the State. Learned counsel for the petitioner further prays that the petitioner may be allowed to make representation before the respondents No.1 & 2 to regularize the petitioner, which may be directed to be decided within a stipulated time as per the existing circular.

3. Considering the fact that already the petitioner has been reinstated by the award of the Labour Court and still working. If the petitioner has rendered continuous service then in such case the petitioner is entitled for the benefit of the existing circular governing the regularization. Consequently, the petitioner is given liberty to make afresh representation within a period of three weeks from today before the respondent No.1 & 2 and on such representation being filed, the said respondents in turn shall decide the same within a period of 90 days from the date of receipt of the representation according to the existing circular of the State which governs the regularization.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu