

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3537 of 2020**

- Pardeshi Nirmalkar S/o Shri Badri Prasad Nirmalkar Aged About 43 Years R/o Village Lokhandi, Post Mangala, Bilaspur, District Bilaspur Chhattisgarh. ---- **Petitioner**

Versus

- State of Chhattisgarh Through Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh.
- Engineer In Chief Public Works Department, Nirman Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh.
- Chief Engineer Public Works Department, Bilaspur, District Bilaspur Chhattisgarh.
- Executive Engineer Public Works Department, Division No. 1, Bilaspur District Bilaspur Chhattisgarh. ---- **Respondents**

For Petitioner	:	Mr. Lav Sharma, Advocate
For State	:	Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order**03-09-2020**

1. The relief sought for by the Petitioner in the present writ petition is for an appropriate direction to the Respondents to consider the case of the Petitioner for regularization.
2. According to the Petitioner, he has been working with the Respondents as a daily wage employee since 2001 onwards, as

such he has put in about more than 19 years of service as a daily wage employee.

3. According to the petitioner, in view of the circular dated 5.3.2008 and the subsequent circulars issued in respect of regularization, the Respondents ought to have considered the claim of the Petitioner also for regularization, but till date the Petitioner's claim has not been finalized or considered by the department. The Petitioner further submits that there are also sanctioned vacant posts available with the department against which the Petitioner could have been regularized.
4. Given the aforesaid factual matrix of the case, this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending, rather ends of justice would meet if the writ petition itself is disposed of with a direction to respondents No. 2 & 3 to take a decision so far as the regularization of the Petitioner is concerned at the earliest and thereafter an appropriate order be passed in this regard.
5. Accordingly, the present writ petition stands disposed of with a direction to respondents No. 2 and 3 to consider and decide the claim of the petitioner in the light of the circular of the State Government dated 5-3-2008 and the subsequent circulars in this regard and also the judgment of the Honorable Supreme Court in the case of **Narendra Kumar Tiwari & others vs. State of Jharkhand and others**” reported in (2018) 8 SCC 238.
6. Let an appropriate decision be taken by the respondents at the

earliest, preferably within a period of four months from the date of receipt of a copy of this order.

7. With the aforesaid observation/direction, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge

Raju