

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3621 of 2020

Saiyad Vahid Ali S/o Saiyad Gafur Ali, Aged About 44 Years Working As Security Guard (Barrier Guard) At Forest Range Lormi, Office Lormi Bafar 1 & 2, Achanakmar Tiger Reserve Lormi, District Mungeli Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Forest Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
3. Chief Conservator Of Forest And Regional Director, Achanakmar Tiger Reserve Koni, District Bilaspur Chhattisgarh.
4. Deputy Director, Achanakmar Tiger Reserve Lormi, District Mungeli Chhattisgarh.
5. Divisional Forest Officer, Office Of Forest Divisional Officer, Mungeli Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Advocate
For State	:	Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

16.09.2020

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 01.01.1998 onwards, as such he has put in about more than 22 years of service as a daily wage employee.
3. According to the Petitioner, in view of the circular dated 05.03.2008 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 directing the Respondents No. 1 & 4 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. 1 & 4 to consider and decide the representation of the Petitioner (Annexure P-5) in the light of the circular of the State Government dated 05.03.2008 and the subsequent circulars in this regard and also the judgment of the Hon'ble Supreme Court in the case of ***"Narendra Kumar Tiwari & Ors. v. State of Jharkhand & Ors."*** ***(2018) 8 SCC 238.***
6. Let an appropriate decision be taken by the Respondents at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order, subject to verification of facts.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Aks