

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 754 of 2020**

Itwari Ram Janghel, S/o. Late Shri Raghuram Janghel, Aged About 45 Years, R/o. Village- Birutola, Tahsil And Police Station - Chhuikhadan, District - Rajnandgaon, Chhattisgarh.

---- **Petitioner**

Versus

1. Shri V.K. Bhatpahari, Engineer In Chief, Public Works Department, Nirman Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh.
2. Shri S.K. Sharma, Chief Engineer, Public Works Department, Raipur, District Raipur Chhattisgarh.

---- **Respondents**

For Petitioner : Mr. S.P. Kale, Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

14-10-2020

Heard.

1. This Court by order dated 22.01.2020 in WPS No.491 of 2020 has passed the following orders :

"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 2004 onwards, as such he has put in about more than 16 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 & 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 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.

7. With the aforesaid observations, the present writ petition stands disposed of."

2. After arguing sometime, the petitioner submits that he craves the liberty to challenge the order dated 22.06.2020 before the Court of law.
3. In view of this, no further proceeding for contempt is necessary. The petitioner shall be at liberty to challenge the rejection order. Accordingly, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks