

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4282 of 2020

- Sushil Kumar Gade, S/o Late Shri Manohar Gade Aged About 51 Years R/o Ward No. 2, Teachers Colony, Gariyaband , Police Station City Kotwali, Tahsil And District Gariyaband Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya , Police Station And Post Rakhi, Atal Nagar, Nawa Raipur , District Raipur Chhattisgarh
2. Collector O/o Collectorate , Gariyaband, District Gariyaband Chhattisgarh
3. Tahsildar Tahsil Office Gariyaband, District Gariyaband Chhattisgarh

---- Respondents

For Petitioner	:	Shri Abhishek Pandey, Advocate
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For State	:	Ms. Richa Shukla, Dy. G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order

03.11.2020

Heard.

1. The relief sought for by the petitioner in this petition is for a direction to the respondents to consider his case for regularization.
2. The contention of the petitioner is that the petitioner has been initially appointed on 08.03.1989 on the post of Section Writer on temporary basis in the offices of Gariyaband, C.G. and since then he is continuously working on the said post of Section Writer, but the respondents have not regularized his services.
3. He further submits that similarly placed persons on their being not regularized, had approached this court vide WPS No.1959 of 2014 (Suraj Prasad Soni & Ors. Vs. State of Chhattisgarh & Anr.) which was allowed by this court on 19.11.2015 directing the respondents to consider the case of the petitioners therein for regularization as Section Writers.

4. He further brought to the notice of the court, the orders passed by the High Court of Madhya Pradesh in Writ Petition No.102 of 2010 which was also allowed and disposed of on 08.01.2010 wherein also similarly placed persons working in the State of Madhya Pradesh had approached the High Court for regularization. The decision of the MP High Court dated 08.01.2010 allowing the writ petition was also challenged in Writ Appeal No.1202 of 2010 which also stood dismissed by the Division Bench on 15.12.2010 affirming the order passed by the Single Bench wherein a bunch of writ petitions were decided and disposed of.
5. The High Court of Madhya Pradesh had also gone to the extent of directing the respondents to consider regularization of Section Writers on the post of over Lower Division Clerk (Assistant Grade III).
6. Given the aforesaid decisions rendered by this court in WPS No.1959 of 2014 and also the two judgments of MP High Court in Writ Petition as well as Writ Appeal, this court is of the opinion that ends of justice would serve if this petition is also disposed of in similar terms with a direction to the respondents to consider the claim of the petitioners for regularization on the post of Section Writer, if not, on any other post corresponding to the post of Section Writer at the earliest preferably within a period of four months from the date of receipt of representation of the petitioners.
7. It is ordered that the petitioners shall apprise the respondents in this regard by filing a detailed representation supported with all relevant documents including the judgments which have been rendered by this court as also by the High Court of Madhya Pradesh so far as similarly/identically placed persons are concerned.
8. The writ petition accordingly stands disposed of.

Sd/-
Goutam Bhaduri
Judge