

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2625 of 2014**

1. Smt. Itwaro Bai W/o Samunder Ram Aged About 30 Years Presently Working As A Rojgar Sahayak Gram Panchayat Karoudi, Janpad Panchayat Udaipur, Dist Surguja, C.G.
2. Baldeo Ram S/o Gurmi Ram Aged About 32 Years presently Working As A Rojgar Sahayak, Gram Panchayat Mariya, Janpad Panchayat, Udaipur, District Surguja, (Ambikapur), Chhattisgarh.
3. Tej Kumar Ekka S/o Chandan Prasad Aged About 33 Years presently Working As A Rojgar Sahayak, Gram Panchayat Jheermeetli, Janpad Panchayat, Udaipur, District : Surguja (Ambikapur), Chhattisgarh.
4. Smt. Urmila Yadav W/o Om Prakash Yadav Aged About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Ram Nagar, Janpad Panchayat, Udaipur, District : Surguja, C.G.
5. Amit Chetan Soni S/o Chandrika Prasad, Aged About 28 Years presently Working As A Rojgar Sahayak, Gram Panchayat Sayar, Janpad Panchayat, Udaipur, District : Surguja, C.G.
6. Budeshwar Ram S/o Meeru Ram Yadav, Aged About 35 Years presently Working As A Rojgar Sahayak, Gram Panchayat Salba, Janpad Panchayat, Udaipur, District : Surguja, C.G.

7. Smt. Budhiyaro W/o Shiv Prasad Aged About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Devtikra, Janpad Panchayat, Udaipur, District : Surguja, C.G.
8. Satmahal Singh S/o Shiv Mangal Singh Aged About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Jajga, Janpad Panchayat, Udaipur, District : Surguja, C.G.
9. Veer Sai S/o Budhnath Ram Aged About 26 Years presently Working As A Rojgar Sahayak, Gram Panchayat Laxmangarh, Janpad Panchayat, Udaipur, District : Surguja, C.G.
10. Smt. Chandravati W/o Ramcharitra Singh Aged About 24 Years presently Working As A Rojgar Sahayak, Gram Panchayat Kamariya, Janpad Panchayat, Udaipur, District : Surguja, C.G.
11. Hari Prasad S/o Kashi Ram Aged About 31 Years presently Working As A Rojgar Sahayak, Gram Panchayat Khondla, Janpad Panchayat, Udaipur, District : Surguja, C.G.
12. Manohar Singh S/o Kansraj Singh Aged About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Kawalgiri, Janpad Panchayat, Udaipur, District : Surguja, C.G.
13. Smt. Puniyaso W/o Sakuran Singh Aged About 30 Years presently Working As A Rojgar Sahayak, Gram Panchayat Lalati, Janpad Panchayat, Udaipur, District : Surguja, C.G.

- 14.Vinod Kumar S/o Anup Ram Tekam Aged About 28 Years presently Working As A Rojgar Sahayak, Gram Panchayat Dandgaon, Janpad Panchayat, Udaipur, District : Surguja, C.G.
- 15.Maninath S/o Aganu Ram Aged About 32 Years presently Working As A Rojgar Sahayak, Gram Panchayat Chainpur, Janpad Panchayat, Udaipur, District : Surguja, C.G.
- 16.Smt. Mahakali W/o Joseph Tirkey Aged About 30 Years presently Working As A Rojgar Sahayak, Gram Panchayat Pendraki, Janpad Panchayat, Udaipur, District : Surguja, C.G.
- 17.Smt. Sandhyamahant W/o Sobhit Das Aged About 25 Years presently Working As A Rojgar Sahayak, Gram Panchayat Chekeri, Janpad Panchayat, Udaipur, District: Surguja, C.G.
- 18.Smt. Tanuja W/o Manoj Das Aged About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Salhi, Janpad Panchayat, Udaipur, District : Surguja, C.G.
- 19.Smt. Roshan Tara W/o Sirajuddin Aged About 30 Years presently Working As A Rojgar Sahayak, Gram Panchayat Gumga, Janpad Panchayat, Udaipur, District : Surguja, C.G.
- 20.Kalinder Ram S/o Ramsai Aged About 30 Years presently Working As A Rojgar Sahayak, Gram Panchayat Udaipur, Janpad Panchayat,

Udaipur, District : Surguja, C.G.

21.Smt. Sulochini W/o Jagdish Singh Aged About 27 Years presently Working As A Rojgar Sahayak, Gram Panchayat Nunera, Janpad Panchayat, Udaipur, District : Surguja, C.G.

22.Chandan Singh S/o Samvanta Ram Aged About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Mohanpur, Janpad Panchayat, Udaipur, District : Surguja, C.G.

23.Dhaneshwar Prasad S/o Raj Kumar Yadav Aged About 31 Years presently Working As A Rojgar Sahayak, Gram Panchayat Mudgaon, Janpad Panchayat, Udaipur, District : Surguja, C.G.

24.Bhuneswar Yadav S/o Ram Nath Yadav Aged About 26 Years presently Working As A Rojgar Sahayak, Gram Panchayat Ghatbarra, Janpad Panchayat, Udaipur, District : Surguja, C.G.

25.Hari Prasad S/o Manjhi Ram Aged About 30 Years presently Working As A Rojgar Sahayak, Gram Panchayat Karsura, Janpad Panchayat, Udaipur, District : Surguja, C.G.

26.Sharad Ram Soni S/o Rajendra Prasad Aged About 26 Years presently Working As A Rojgar Sahayak, Gram Panchayat Bakurma, Janpad Panchayat, Udaipur, District : Surguja, C.G.

27.Balinder Prasad S/o Bhima Ram Aged About 30 Years presently Working As A Rojgar Sahayak,

Gram Panchayat Tholga, Janpad Panchayat,
Udaipur, District : Surguja, C.G.

28.Smt. Kausalya W/o Roopan Singh Aged About
27 Years presently Working As A Rojgar
Sahayak, Gram Panchayat Manpur, Janpad
Panchayat, Udaipur, District : Surguja,
C.G.

29.Govind Singh S/o Shivnanadan Singh Aged
About 27 Years presently Working As A Rojgar
Sahayak, Gram Panchayat Sontarai, Janpad
Panchayat, Udaipur, District : Surguja, C.G.

30.Rajesh Kumar S/o Veerbal Ram Aged About 26
Years presently Working As A Rojgar Sahayak,
Gram Panchayat Kesma, Janpad Panchayat,
Udaipur, District : Surguja, C.G.

31.Neeraj Kumar S/o Mani Ram Aged About 28
Years presently Working As A Rojgar
Sahayak, Gram Panchayat Salka, Janpad
Panchayat, Udaipur, Distt Surguja, C.G.

32.Smt. Satroopa Singh W/o Ram Vilas Singh
Aged About 25 Years presently Working As A
Rojgar Sahayak, Gram Panchayat Rikhi, Janpad
Panchayat, Udaipur, Distt Surguja, C.G.

33.Kalinder Ram S/o Baiga Ram Aged About 24
Years presently Working As A Rojgar Sahayak,
Gram Panchayat Palka, Janpad Panchayat,
Udaipur, Distt Surguja, C.G.

34.Smt. Kavita Yadav W/o Dhinharan Yadav Aged

About 29 Years presently Working As A Rojgar Sahayak, Gram Panchayat Sanibarra, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

35.Smt. Silochani W/o Pradeep Kumar Aged About 28 Years presently Working As A Rojgar Sahayak, Gram Panchayat Kundeva, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

36.Mohammad Amzad Ansari S/o Lt Noor Mohammad Aged About 24 Years presently Working As A Rojgar Sahayak, Gram Panchayat Pandridand, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

37.Maheshwar Paikra S/o Baldeo Singh Aged About 23 Years presently Working As A Rojgar Sahayak, Gram Panchayat Kedma, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

38.Vilas Singh S/o Shankar Prasad Aged About 26 Years presently Working As A Rojgar Sahayak, Gram Panchayat Sargawan, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

39.Ishwar Ram S/o Gulab Ram Aged About 23 Years presently Working As A Rojgar Sahayak, Gram Panchayat Phulchuhi, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

40.Nandkeshwar Yadav S/o Ram Narayan Aged About 28 Years presently Working As A Rojgar Sahayak, Gram Panchayat Dawa, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

41.Santosh Kumar Yadav S/o Lal Chand Aged About 23 Years presently Working As A Rojgar Sahayak, Gram Panchayat Shankarpur, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

42.Bhuneshwar Ram S/o Daya Ram Aged About 28 Years presently Working As A Rojgar Sahayak, Gram Panchayat Keshgawan, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

43.Smt. Silochana W/o Ram Singh Aged About 28 Years presently Working As A Rojgar Sahayak, Gram Panchayat Kalcha, Janpad Panchayat, Udaipur, Distt Surguja, C.G.

----- Petitioners

Versus

1.State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan, Naya Raipur, Dist Raipur, C.G.

2.Collector-Cum-District Programme Coordinator District Surguja, C.G.

3.Zila Panchayat, Sarguja Through Its Chief Executive Officer, Dist Sarguja, C.G.

4.Janpad Panchayat, Udaipur Throuth Its Chief Executive Officer, Janpad Panchayat, Udaipur, Distt Sarguja, C.G.

5.Union Of India Through The Secretary, Department Of Rural Development, Shastri

Bhawan, New Delhi.

----- Respondents

For Petitioners :- Mr. Navin Shukla, Advocate.
 For State :- Mr. Siddharth Dubey, Dy. G.A.
 For Respondents No.3 & 4 :- Mr. Chandresh
 Shrivastava, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

04/10/2021

1. Heard.
2. Default is overruled and with the consent of the parties the matter is heard finally.
3. Learned counsel for the petitioners submits that the issue involved in the writ petition is covered by the decision rendered by this Court in WPS No.453/2014 in terms of paragraphs No. 25 & 26 which are held as under:-

“25.Reverting to the facts of the present case in light of the aforesaid pronouncements of the Supreme Court and Punjab and Haryana High Court, it is quite vivid that admittedly the post of Gram Rozgar Sahayak is a

purely temporary and contractual post and it is not a regular sanctioned post and as per the Scheme, it has to be filled up on contractual basis for a period of one year as per the scheme dated 14/12/2007 (Annexure R/1) and as per the order of the competent authority dated 28/11/2007 (Annexure R/3), therefore the principle of law laid down in Hargurpratap Singh v. State of Punjab¹ that one set of contractual employees cannot be replaced by another set of contractual employees would not be applicable to the facts of the present case. Moreover, the Scheme under which the impugned advertisement dated 08/01/2014 (Annexure P/1) and memo dated 19/05/2014 (Annexure P/1) have been issued as well as the scheme dated 14/12/2007 (Annexure R/1) and the order of the Commissioner dated 28/11/2007 (Annexure R/3) clearly directing appointment of Gram Rozgar Sahayak to be made for one year has not been challenged by the petitioners in any of these writ petitions and they have become final. That being the clear position and appointment on the posts of Gram Rozgar Sahayak being

¹ 2007 (13) SCC 292

contractual in nature on temporary post, it has to be filled up afresh after completion of one year. In that view of the matter, I do not find any merit in this batch of writ petitions calling in question the impugned advertisement dated 08/01/2014 (Annexure P/1) inviting fresh applications for the post of Gram Rozgar Sahayak for one year and memo dated 19/05/2014 (Annexure P/1) in WPS Nos. 2615/2014 and 2647/2014 issued by the Collector directing the Chief Executive Officer, Janpad Panchayat, Lakhanpur-Surguja for fresh recruitment on the post of Rozgar Sahayak on contractual basis.

24. Accordingly, all the writ petitions deserve to be and are accordingly dismissed. No cost(s)."

4. Since the issue is covered by the decision rendered by this Court in WPS No.453/2014 in terms of paragraphs No. 25 & 26, the instant writ petition stands disposed off.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit