

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 512 of 2010**

1. Navin Chandra Minz S/o Late Shri Duga Ram Minz,
Aged about 32 years, Occupation Data Entry Operator
at East Sarguja Forest Division Ambikapur, Distt.
Sarguja, Chhattisgarh.
2. Nitin Warade S/o Purushottam Varade, Aged about 25
years, Occupation Data Entry Operator at
Conservator of Forest, Sarguja Circle, Ambikapur,
Distt. Sarguja, Chhattisgarh.

---Petitioners**Versus**

1. State of Chhattisgarh, Through Secretary, Forest
Department, D.K.S. Bhawan, Mantralaya, Raipur,
Distt. Raipur, Chhattisgarh.
2. Chief Conservator of Forest Raipur, Distt. Raipur,
Chhattisgarh.
3. Conservator of Forest, Sarguja Circle, Ambikapur,
Distt. Sarguja, Chhattisgarh.
4. Regional Forest Officer, East Sarguja, Forest
Division Ambikapur, Distt. Sarguja, Chhattisgarh.
5. Regional Forest Officer, North Sarguja, Forest
Division Ambikapur, Distt. Sarguja, Chhattisgarh.

--- Respondents

For Petitioners	:-	Mr. Awadh Tripathi, Advocate
For State	:-	Mr. Sunil Otvani, Addl. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board (Through Video Conferencing)

09/06/2021

1. The services of the two petitioners herein were regularized by respondent No. 3 vide order dated 13/10/2008 (Annexure P-8) on the post of 'Data Entry Operator', but all of a sudden, by impugned order dated 07/01/2010 (Annexure P-1) the order of regularization has been revoked/annulled against which this writ petition has been preferred by the petitioners.
2. Mr. Awadh Tripathi, learned counsel appearing for the petitioners, would submit that services of the petitioners have been regularized on the post of 'Data Entry Operator' by respondent No. 3 vide order dated 13/10/2008, but it has been revoked/annulled by the order impugned dated 07/01/2010 without affording minimum opportunity of hearing to them which is in violation of principles of natural justice, therefore, the impugned order deserves to be set aside.
3. Mr. Sunil Otewani, learned Additional Advocate General, would submit that petitioners' regularization order was passed contrary to the

statutory rules applicable therein, therefore, it has rightly been revoked by the impugned order.

4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and perused the record carefully.

5. It is not in dispute that petitioners' services were regularized on the post of 'Data Entry Operator' on 13/10/2008 and it is also not in dispute that the order of regularization has been revoked/annulled by impugned order dated 07/01/2010 without giving an opportunity of hearing to them which is absolutely in violation of principles of natural justice. Once the order of regularization was passed, it could not have been revoked/annulled without affording an opportunity of hearing to the petitioners. As such, the impugned order dated 07/01/2010 (Annexure P-1) is hereby set aside. However, respondents are at liberty to proceed in accordance with law.

6. With the aforesaid observation, this writ petition is allowed to the extent indicated herein-above. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge