

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2097 of 2021**

Naresh Prasad Kashyap S/o Late Ramadhar Kashyap Aged About 47 Years
R/o Village I H S, D P Awas, D- 4, Gitanjali City, Phase- 1, Bahatarai Road,
Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, Bilaspur, District Bilaspur Chhattisgarh
2. The Registrar Pt. Sundarlal Sharma (Open) University Chhattisgarh Bilaspur

---- Respondents

For Petitioner	:	Shri Vivek Kumar Agrawal, Advocate.
For State	:	Shri Rahul Jha, G.A.
For Respondent No. 2	:	Shri Sudeep Agrawal, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****10.06.2021**

1. The claim of the petitioner through the present writ petition is for an appropriate direction to the respondent No. 2 to reinstate the petitioner in service with consequential benefit.
2. At the outset, on perusal of the records, this Court finds that the substantive nature of appointment of the petitioner with the respondent No. 2 was that as a daily wage employee.
3. Given the fact that the appointment of the petitioner was that of a daily wage employee, this Court finds it difficult to pass an order or a direction to the respondent No. 2 to consider the claim of reinstatement of the petitioner. This Court is therefore reluctant in granting the relief

sought for, also for the reason that since his appointment itself was of daily wage nature, no substantive right as such got created in his favour. Even though, the petitioner might have worked with the respondents for a considerable period of time.

4. At this juncture, the learned counsel for the petitioner submits that he be permitted to approach the respondent No. 2 by making a suitable representation ventilating his grievances and claiming for reinstatement.
5. Without expressing any opinion on the merits of the case, the writ petition at this juncture is disposed of permitting the petitioner to approach the respondent No. 2 by moving appropriate representation, and the respondent No. 2 in turn may consider and decide the representation in accordance with the rules and regulations and the availability of work for a daily wage employee.
6. The writ petition stands accordingly disposed of.

Sd/-

P. Sam Koshy
Judge