

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4244 of 2021

1. Manharan Chelkar S/o Shri Karanlal Chelkar Aged About 37 Years Occupation 4th Grade / Rasoiya Karmi Government Aadiwasi Balak Aashram Belgahna Residence Belgahna Thana Belgahna, District Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary , Aadim Jati Tatha Anusuchit Jati Vikas Vibhag Mantralaya Naya Raipur Chhattisgarh.
2. Commissioner Aadim Jati Tatha Anusuchit Jati Vikas Raipur, District Raipur Chhattisgarh.
3. Assistant Commissioner Aadiwasi Vikas Bilaspur District Bilaspur Chhattisgarh.
4. Collector Bilaspur Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Abdul Wahab Khan, Advocate.
For Respondent-State	:	Ms. Binu Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.08.2021

1. The limited grievance that the petitioner has in the instant case is the action on the part of the respondents in discontinuing the services during lock-down period under the effect of Covid-19.
2. According to the counsel for the petitioner, he was working as daily wage employee under the respondents for more than a decade, suddenly because of the impact of Covid-19 pandemic and the lockdown situation prevailing, the services of the petitioner was discontinued.
3. Today when the matter is taken up for hearing, the Counsel for the petitioner submits that he has instruction to state that there is availability of work in the department and they are also in need of daily wage employees, however ignoring the claim of the petitioner for said work they are appointing third persons against the said post.

4. The only prayer that the petitioner make at this juncture is that, if at all, if the respondents intend to engage daily wage workers, let the petitioner be given some preferential right and to be continued instead of appointing fresh personnel. The respondents be directed to take work from the petitioner considering their experience and the length of service rendered.
5. Given the said grievance that the petitioner has, the writ petition at this juncture is disposed of directing the respondents No. 2 to 4 to look into the grievance of the petitioner and try to redress the same as far as possible by reengaging the petitioner, if at all if the State or the respondents intend to get work from the daily wage workers. Under the such circumstances, the petitioner be given due weightage for the services that he has already rendered in the past.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge