

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 639 of 2021**

1. Nathuram S/o Murha Sahu, Aged About 58 Years, Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
2. Dayawati W/o Adalat Dhruv, Aged About 54 Years, Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
3. Santosh Chandrakar S/o Late Salik Ram Chandrakar, Aged About 43 Years, Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
4. Raghunandan Patel S/o Pirthi Patel, Aged About 36 Years, Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
5. Rajesh Khanna Chandrakar S/o Chainlal Chandrakar, Aged About 38 Years Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
6. Guman Chandrakar S/o Nathuram Chandrakar, Aged About 42 Years Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
7. Saiyad Shahid Ali S/o Saiyad Subhan, Aged About 37 Years, Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)
8. Rajkumar Sharma S/o Late Rambakas Sharma, Aged About 44 Years Presently Working As Labour Semiskilled Category In Paddy Collection Center Bagbahara, District Mahasamund (Chhattisgarh)

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Cooperative, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh)
2. Chhattisgarh State Cooperative Marketing Federation, C-Tower Commercial Complex, Atal Nagar, Raipur (Chhattisgarh) Through Its Secretary
3. District Marketing Officer C.G. State Cooperating Marketing Federation, Mahasamund, District Mahasamund (Chhattisgarh)
4. Incharge Officer Paddy Collection Centre Bagbahara, District Mahasamund (Chhattisgarh)

---- Respondents

For Petitioners	:	Mr. Hemant Kesharwani, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

07.06.2021

1. The present writ petition has been filed seeking the following two major reliefs:

(10.2) The Hon'ble Court may kindly be pleased to issue Writ/appropriate in the nature of mandamus and set aside the impugned bid dated 14.09.2020 in respect of district Mahasamund (Annexure P-1) passed by the respondent no.2.

(10.3) That the Hon'ble Court may kindly be pleased to direct the respondent authorities to consider the case of petitioner for regularization and decide the representation made by the petitioners.

2. Relief No.10.2 was pertaining to a tender floated by the respondents which has since been withdrawn by the Department and as such the said dispute does not survive any further. The second relief i.e. relief No.10.3 was in respect of regularization of the petitioners since they have put in more than 15 years service.
3. Learned State counsel at this juncture submits that the respondents 2 & 3 are the contesting party and they are co-operative societies/body which are governed under the Co-operative Societies Act and it is the respondents 2 & 3 who are to take a decision so far as the present relief of the petitioners are concerned.

4. Learned counsel for the petitioners at this juncture submits that the writ petition may be disposed of directing the respondents 2 & 3 to take a decision on the claim of the petitioners for regularization.
5. Given the limited relief that the petitioners seek at this juncture, the writ petition stands disposed of directing the petitioners to approach the respondents 2 & 3 by way of a fresh detailed representation so far as the claim for regularization is concerned and the respondents 2 & 3 in turn shall consider and decide the representation in accordance with the rules governing the field at the earliest preferably within a period of 90 days from the date of receipt of the representation of the petitioners. It is made clear that this court has not expressed any opinion so far as the merits of the case is concerned or in respect of the entitlement of the petitioners is concerned.
6. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**