

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5563 of 2021

1. Jitendra Prasad Puri S/o Sitaram Puri Aged About 38 Years Working As Class-Iv, Employee and Posted At Pre-Metric Tribal Boys Hostel Sakola, Post Office Kormikala, Tahsil Pendra District Gorela Pendra Marwahi Chhattisgarh
2. Purushottam Prajapati S/o Budhsen Prajapati Aged About 34 Years Working As Class-Iv, Employee And Posted At Pre-Metric Tribal Boys Hostel Kotmikala, Post Office Kormikala, Tahsil Pendra District Gorela Pendra Marwahi Chhattisgarh
3. Smt. Savita Yadav W/o Shri Shiv Pujan Yadav Aged About 42 Years Working As Class-Iv, Employee And Posted At Kamla Nehru Tribal Hostel Bilaspur District Bilaspur Chhattisgarh
4. Bholadas S/o Bhajan Das Satnami Aged About 47 Years Working As Class-Iv, Employee And Posted At Prayas Hostel Ramtala, Bilaspur District Bilaspur Chhattisgarh
5. Preetam Kumar Rai S/o Shri Narayan Prasad Rai Aged About 45 Years Working As Class-Iv, Employee And Posted At Pre-Metric Tribal Boys Hostel Bhatchoura, Block Masturi, District Bilaspur Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Tribal Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur District Raipur Chhattisgarh
2. District Education Officer Gorela Pendra Marwahi, District Gorela Pendra Marwahi, Chhattisgarh
3. District Education Officer Bilaspur District Bilaspur Chhattisgarh
4. Assistant Commissioner Department Of Tribal Development, Gorela Pendra Marwahi, District Gorela Pendra Marwahi, Chhattisgarh
5. Assistant Commissioner Department Of Tribal Development, Bilaspur, District Bilaspur, Chhattisgarh
6. Ashok Kumar Maravi S/o Belan Singh Gond Working As Peon, At Govt. Higher Secondary School Marwahi, District Gorela Pendra Marwahi, Chhattisgarh

---Respondents

For Petitioners	:	Shri Ajay Shrivastavas, Advocate.
For State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.10.2021

1. The challenge in the present writ petition is the action of the respondents in not granting the benefit of regularization to the petitioners though the benefit has been extended to a person junior to the petitioners i.e. respondent no.6.

2. Counsel for the petitioner submits that right from the time of appointment, the petitioners were either similarly placed or were senior to respondent no.6 but when the question of regularization came, ignoring the claim of the petitioners, only the case of respondent no.6 has been considered by respondent no.4. He further submits that the petitioners have already made a detailed representation to respondent no.2 in this regard and the same is pending consideration before the authority, therefore, prays for a direction to the respondents 2 & 4 to take an appropriate decision on the representation of the petitioners.
3. Given the aforesaid nature of dispute which the petitioners have raised in the present writ petition, this Court is of the opinion that no fruitful purpose would serve in admitting the petition and keeping in pending. Rather ends of justice would meet if the respondents are directed to reconsider the grievance of the petitioner and pass an appropriate order at the earliest considering the objections and contentions which they have raised in their representation. The petitioners are directed to file a fresh representation in addition to the representation that they have made supported with all relevant documents in respect of their claim. Subject to the petitioners filing a fresh representation within a period of 10 days from the date of receipt of copy of this order, respondents 2 & 4 shall scrutinize the same on merits and pass a detailed order within a further period of 90 days thereafter.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge