

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5805 of 2021**

Rajendra Sharma S/o Bachchan Sharma, Aged About 58 Years R/o Village And Post Banbaghera, Police Station Somni, District Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Additional Principal Chief, Conservator Of Forest (Administ./Non Gazetted), Raipur, District Raipur Chhattisgarh
3. Chief Forest Conservator (Regional) Durg Region, District Durg Chhattisgarh
4. Forest Divisional Officer, Forest Division Rajnandgaon, District Rajnandgaon Chhattisgarh

----Respondents

For Petitioner	:	Mr. Pramod Ramteke, Advocate
For State	:	Mr. Mateen Siddiqui, Deputy A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/10/2021**

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents to consider the claim for grant of regularization.
2. The contention of the petitioner is that the petitioner was engaged by the respondents as a daily wage employee in October, 1984 and the petitioner was discharging the duties of a Security Guard. He continued to work on the said post till February, 2002, when on account of his getting convicted in a criminal case, his services stood discontinued. The judgment of conviction was subsequently set-aside by the judgment of

this High Court dated 30.06.2010 in Criminal Appeal No. 826/2003 and the petitioner stood acquitted from the charges leveled against him.

3. The petitioner subsequent to the acquittal was taken back in service somewhere in the year 2011 as stated by the petitioner and since then the petitioner is still working continuously and uninterruptedly. Thus, according to the petitioner he has put in around three decades of service with the respondents. Therefore in terms of the circular dated 05.03.2008 dealing with regularization the claim of the petitioner should also be decided.
4. The State counsel submits that the matter can be disposed of subject to verification of the entitlement and also verification of the aspect as to whether the petitioner was employed elsewhere during the period of his absence from duty between 2002 to 2010 and also subject to verification as to whether the petitioner would fall within the category of employees, who would be entitled for regularization in terms of the circular dated 05.03.2008.
5. In terms of the submissions made by the counsel for the parties, the writ petition at this juncture stands disposed of directing the respondents to scrutinize the claim of the petitioner in terms of the circular dated 05.03.2008 dealing with regularization and an appropriate decision be taken at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge