

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5251 of 2020**

1. Shri Dilip Kumar Yadav S/o Late Shri Kartikram Yadav Aged About 53 Years Working Under Collector Office Korba Tahsil And District - Korba Chhattisgarh. **---- Petitioner**

Versus

1. The Asst. Commissioner Tribal Development, Adim Jati Kalyan Vibhag Korba Tahsil And District - Korba Chhattisgarh.
2. The Principal Industrial Training Institute Korba Tahsil And District - Korba Chhattisgarh.
3. Director Directorate Employment And Training Indrawati Bhawan New Raipur District Raipur Chhattisgarh.
4. Joint Director Industrial Training Institutions Regional Office Bilaspur District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Badruddin Khan, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15.01.2021**

1. The grievance of the petitioner in the present writ petition seems to be the action on the part of the respondents in stopping the incremental benefit to the petitioner as also the benefit of regularization and the benefit of pay revision.
2. The petitioner was appointed on 30.03.1992 initially for a period of 89 days and was continued in employment periodically without any interruption. In due course of time, the service of the petitioner was regularized vide order dated 06.02.2001 w.e.f. 31.03.1995 i.e. after

completion of three years of service as a daily wage employee. Thereafter, the petitioner is said to have received the benefits of a regular employee up-till 2007 and abruptly the increment and further revisional benefits so far as periodical revision of pay and the benefit of Kramonnati and other service benefits etc., have been stopped by the department and till date it has not been restored, the petitioner has been making representations with the authorities time and again.

3. The records show that the matter was got enquired into by the District Collector who vide inquiry report and vide his correspondance dated 02.02.2011 (Annexure P/7) has recommended for the petitioner to be paid the benefits as similar benefits have been extended to a large number of daily wage employees. In-spite-of that no further decision has been taken by the authorities concerned.
4. Given the limited grievance that the petitioner has and also taking into consideration the fact that the order of regularization does not seem to have been cancelled by the respondents till date, the petitioner has been discharging the duty as a regular employee all these period, let the respondent No. 3 take an appropriate decision in this regard considering the entire factual matrix of the case including that of the report submitted by the District Collector at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge