



2026:CGHC:3819



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 754 of 2026

1 - Agarchand Gayakwad S/o Late Shri Latel Ram Gaikwad, Aged About 45 Years R/o Sant Ravidas Ward No. 70, Near Intraprasth Phase No. 02, Raipura, District Raipur C.G.

2 - Dharmendra Kumar Sahu S/o Shri Laxman Sahu, Aged About 41 Years R/o Block No. 16, Room No. 05, B.S.U.P. Colony (Salasar Green) Ward No. 70 Sarona, Raipur, District Raipur (C.G.)

3 - Prakash Kumar Ratnakar S/o Narayan Patankar, Aged About 37 Years R/o H.N.23, Gyandaspara Kodwa (Kotawa) Balodabazar (C.G.)

4 - Mukesh Kumar Ghritlahre S/o Shri Bhagwat Ram Ghritlahre, Aged About 39 Years R/o Bhagwat Ghritlahre, Ward No. 10, Uperpara, Abhanpur, District Raipur C.G.

5 - Ravishankar Parik S/o Late Shri Tularam Parik, Aged About 51 Years R/o Ward No. 12, Satnamipara, Rajim, District Gariyaband (C.G.)

6 - Hemdas Kurre D/o Shri Mehettar Kurre, Aged About 31 Years R/o 293, Ward No. 14, Ramsagar Para, Farhada Ilda, Raipur, District Raipur C.G.



7 - Bhagbali Bhaskar S/o Shri Bhagvandas Bhaskar, Aged About 42 Years R/o P.M.T. Boy Hostel D.D.U. Nagar, Raipur, District Raipur C.G.

8 - Praja Ram Nishad S/o Shri Ramtahal Nishad, Aged About 45 Years R/o P.M.T. Girls Hostel, Pandit Ravishankar Shukla University, Raipur, District Raipur C.G.

9 - Salik Ram Dhruw S/o Late Shri Tulas Ram Dhruw, Aged About 48 Years R/o House No. 152 School Para, Village- Sendar, Rajim, Fingeshwar, District Gariyaband (C.G.)

10 - Karan Verma S/o Shri Hariram Verma, Aged About 39 Years R/o Quarter No. 09, Prayas Hostel, Tilak Nagar, Raipur, District Raipur C.G.

11 - Smt. Kirtan Chelak W/o Devprasad Chelak, Aged About 39 Years R/o P.M.S.C. Girls Hotel, Mandir Hasaud, Raipur, District Raipur C.G.

12 - Smt. Janu Kurre W/o Shri Birendra Kurre, Aged About 39 Years R/o Indira Colony Mandir Hasaud, Raipur, District Raipur C.G.

13 - Smt. Khileshwari Nishad W/o Shri Praja Ram Nishad, Aged About 36 Years R/o Near Aganbadi, Bemcha, Mahasamund, District Mahasamund C.G.

14 - Smt. Rukhmani Bai Miri W/o Shri Daneshwar Miri, Aged About 35 Years R/o Ghasidaspara, Mudiyadih, Palari, Balodabazar, District Balodabazar Bhatapara C.G.



15 - Smt. Rameshwari W/o Gendlal Kannauje, Aged About 36 Years
R/o Village Malidih, Block Arang, District Raipur C.G.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary Department Of Tribal
And Schedule Caste, Mantralaya, Mahanadi Bhawan, Atal Nagar,
Nava Raipur, District Raipur C.G.

2 - Commissioner, Department Of Tribal And Schedule Caste
Indiravati Bhawan, Atal Nagar, Nava Raipur, District Raipur C.G.

3 - Collector Raipur, District Raipur C.G.

4 - Assistant Commissioner, Tribal Development, Office Of Collector
(Tribal Development) Raipur District Raipur C.G.

... Respondent(s)

For Petitioners : Mr. Abhishek Singh, Advocate

For Respondents : Mr. Khulesh Sahu, Panel Lawyer

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

22/01/2026

1. This petition has been preferred by the petitioner under Article
226 of the Constitution of India, seeking following reliefs:-

“10.1. That Hon'ble Court may kindly be pleased to
call record in respect of petitioners.

10.2. The Hon'ble Court may kindly be pleased to
direct Respondent Authorities to consider the case of
Petitioner, regarding regularization on the post of
Peon/Cook in pursuance to order of Hon'ble Supreme
Court in case of Narendra Kumar Tiwari and others as
well as passed in case of Jaggo Vs. Union of India.



10.3. The Hon'ble Court may kindly be pleased to directed respondents to consider the case of petitioner for regularization taking into account of seniority.

10.4 The Hon'ble Court may kindly be pleased to directed respondents to regularize the service from his junior's has been regularized.

10.5 That, the cost of the petition be granted."

2. Learned counsel for the petitioners submits that the petitioners are appointed as Peon/Cook on daily wage basis. Since, the initial engagement, petitioners are continuously working on the said post on daily wage basis and as of now petitioners have completed more than 10 years or more on daily wage basis. He further contended that in view of the aforementioned law laid down by the Hon'ble Supreme Court, petitioners are entitled for consideration for regularization on the post, on which, they are working since last more than 10 years. He, however, submits that at this stage petitioners may be permitted to submit fresh representation before the authority concerned, who, in turn, be directed to take decision on the representation expeditiously thereafter.
3. Learned State counsel submits that as petitioners are not pressing this writ petition on merits and only seeking permission to submit representation to be considered by authorities, he is having no objection to the limited prayer.
4. On due consideration of the submission of counsel for the parties, considering the nature of the claim as raised by the petitioners in this writ petition, they are continuously engaged as daily wage employee since 2010. Hon'ble Supreme Court in case of Narendra Kumar Tiwari & Others Versus State of Jharkhan & Others reported in SCC (L&S) 2018 (2) 472 for considering the temporary/daily wages employees, who had



completed 10 years of service for regularization. Further, Hon'ble Supreme Court in case of Jaggo Versus Union of India reported in (2024) SCC Online SC 3826 has2026:CGHC:29653 further observed that the government departments to lead by example in providing fair and stable employment. Engaging workers on a temporary basis for extended periods, especially when their roles are integral to the organization's functioning, not only contravenes international labour standards but also exposes the organization to legal challenges and undermines employee morale. Without entering into merit of claim of petitioners, this writ petition is disposed at this stage, permitting petitioners to submit comprehensive representation before the respondents No.2 to 4, and if, such a representation is submitted, the concerned authority shall consider and take decision on the representation in accordance with law expeditiously, preferably within a further period of six months from the date of receipt of representation.

5. With the aforesaid observation and direction, this writ petition stands disposed of.
6. Interlocutory application(s), pending if any, also stands disposed of.

Sd/-

(Parth Prateem Sahu)

Judge

roshan/-