



2026:CGHC:9800



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1819 of 2026

Dr. Avinash Chaturvedi S/o Shri Anant Ram Chaturvedi Aged About 48 Years (M.B.B.S. And Diploma In Tuberculosis And Chest Disease) Occupation-Service (On Ad-Hoc Basis), Presently Posted As Medical Officer, At District T.B. Centre Kalibadi, Raipur, District Raipur (C.G.)

... **Petitioner**

versus

1 - The State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)

2 - The Secretary Department Of General Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)

3 - The Director Directorate Of Health Services, 3rd Floor, Indrawati Bhawan, Nawa Raipur, Atal Nagar, Raipur, District Raipur (C.G.)

... **Respondents**

For Petitioner	:	Mr. Vivek Bhakta, Advocate appears along with Mr. A. N. Bhakta, Advocate
For State	:	Mr. Vivek Verma, Govt. Advocate

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

25.02.2026

1. Petitioner has filed this writ petition seeking following reliefs:-



“10.1 That the Hon’ble Court may kindly be pleased to call for the entire records pertaining to the service of the petitioner.

10.2 That the Hon’ble High court may kindly be pleased to direct the Respondent authorities to regularize the Petitioner’s services on the post of Medical Officer from his initial date of appointment i.e. 22.05.2013 and joining date 14.06.2013 with all consequential service benefits including seniority within stipulated period, in the interest of justice.

10.3 That the Hon’ble Court may kindly be pleased to direct the Respondent authorities to consider & decide the pending representation dated 04.09.2025 (Ack on 05.08.2025) (Ann. P-6), with reference to dicta laid down by the Hon’ble Supreme Court in the matter of “Dharam Singh Vs. State of UPC, passed in Civil Appeal, No. 8558/2018” and other relevant matters” in objective manner, within stipulated period, in the interest of justice.

10.4 Any other relief, which this Hon’ble court deems fit and proper, in the interest of justice.”

2. Learned counsel for petitioner submits that petitioner was appointed as Medical Officer on Adhoc basis. Petitioner was initially appointed on probation period and thereafter he successfully completed his probation period of three years. Since the date of initial appointment, petitioner is continuously working as Medical Officer for last about more than 12 years, however, till date service of the petitioner has not been regularized. Petitioner also submitted representation in this regard before respondent no. 1 on 23.09.2025 (Annexure P-8), however, till date no decision has been taken and, therefore, direction be issued to respondent authorities to consider and take decision on the representation submitted by petitioner, at the earliest, within stipulated time period.
3. Learned counsel for respondent -State submits that according to his instructions based on the representation submitted by petitioner,



proceedings have been initiated and information has been sought from different authorities as to know the number of appointees and steps for regularization have been taken. He submits that the representation submitted by petitioner will be considered and appropriate orders will be passed, in accordance with law.

4. I have heard learned counsel for respective parties.
5. Claim of petitioner is that he was appointed as Medical Officer on Adhoc basis in the year 2013 and since then he is continuously working on the said post. Petitioner has completed almost more than 12 years of service as an Adhoc employee. Hon'ble Supreme Court in case of **Narendra Kumar Tiwari & Others Versus State of Jharkhand & Others** reported in **SCC (L&S) 2018 (2) 472** considered the issue of regularization of temporary/daily wages employees, who had completed 10 years of service. Further, Hon'ble Supreme Court in case of **Jaggo Versus Union of India** reported in **(2024) SCC Online SC 3826** has 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.
6. Hon'ble Supreme Court in case of **Dharam Singh Vs. State of U.P.** **reported in 2025 SCC Online SC 1735** has strongly deprecated the culture of "ad-hocism" adopted by States in their capacity as employers. The Court criticized the practice of outsourcing or informalizing recruitment as a means to evade regular employment



obligations, observing that such measures perpetuate precarious working conditions while circumventing fair and lawful engagement practices.

7. Recently, Hon'ble Supreme Court in case of **Bholanath Vs. The State of Jharkhand & Ors.** Reported in **2026 INSC 99 bearing SLP C No. 30762 of 2024** has observed the respondent -State was not justified in continuing the appellant's services on sanctioned posts for over a decade under nomenclature of contractual engagement and thereafter denying them consideration for regularization and have further directed for regularizing the appellants therein, in service.
8. In the aforementioned facts of the case and the decisions of Hon'ble Supreme Court in above referred cases, further considering the application/representation submitted by petitioner is still pending consideration before respondent authorities, this writ petition at this stage is disposed of directing respondent authorities to consider and take decision on pending representation submitted by petitioner, in accordance with law, expeditiously, preferably within a further period of six months from the date of receipt of the order, keeping in mind the decisions of Hon'ble Supreme Court referred above.
9. With the aforementioned direction and observation, this writ petition stands disposed of.

Certified copy as per rules.

sd/-

(Parth Prateem Sahu)

Judge

Alfiza