



2026:CGHC:9978



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2069 of 2026

1 - Ajay Kumar Xalxo S/o Late Novas Xalxo Aged About 43 Years Caste Oraon, R/o Village Gram Purnanagar, Tahsil Jashpur, Distt. Jashpur, Chhattisgarh.

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Education Secretary, School Department, Mantralaya, Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.

2 - The Secretary Government Of Chhattisgarh, Scheduled Caste And Scheduled Tribe Development Department, Mantralaya, Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.

3 - The Assistant Commissioner Tribal Development, Jashpur, Distt. Jashpur, Chhattisgarh.

4 - The Director Directorate Of Public Instructions, Atal Nagar, Nawa Raipur, Distt. Raipur, Chhattisgarh.

5 - The District Education Officer Jashpur, Distt. Jashpur, Chhattisgarh.

6 - The Block Education Officer Manora, Distt. Jashpur, Chhattisgarh.

--- **Respondent(s)**

(The cause title is taken from CIS system)

For Petitioner : Mr. J.K. Saxena, Advocate

For Respondent-State No.1 & 2 : Ms. Shailja Shukla, Govt. Advocate

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

26/02/2026

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



“10.1 That, the Hon’ble Court may kindly be pleased to call the records pertaining to the case of the petitioner from the respondents.

10.2 That, this Hon’ble Court may kindly be pleased to direct the respondent authorities to consider the claim of petitioner for regularization, expeditiously adopting humanitarian approach, sympathetically, considering that the petitioner while continuing service has crossed maximum age as prescribed under the service rules of the State Government.

10.3 That, any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given.”

2. Learned counsel for petitioner submits that petitioner was appointed as Peon on Daily Wage basis vide order dated 04.07.2009 and since then he is continuously working under the respondents authorities. Since, the initial engagement, petitioner is continuously working on the said post on daily wage basis to the satisfaction of the authorities and as of now petitioner has completed more than 15 years as daily wage employee. He further contended that in view of his long engagement in service, petitioner is also entitled for regularization of service on the post, on which, he is working since last more than about 15 years. He, however, submits that at this stage he may be permitted to submit a fresh representation before the authorities and in turn they be directed to take decision on the representation expeditiously thereafter.
3. Learned State counsel submits that as petitioner is not pressing this writ petition on merits and is only seeking permission to submit representation to be considered by authorities, he is having no objection to the limited prayer.



4. Considered the submission of counsel for the parties. Claim as raised by the petitioner in this writ petition is that he is continuously engaged as daily wage employee since 2009. 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. This writ petition at this stage is disposed permitting the petitioner to submit comprehensive representation before the respondents No. 2 & 6, 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 04 months from the date of receipt of representation.
5. Accordingly, this writ petition is disposed of with the aforesaid observation and direction.

Sd/-
(Parth Prateem Sahu)
JUDGE