



2026:CGHC:10128

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1866 of 2023**

1 - Raj Kishor Jaiswal S/o Shri Jugal Kishor Jaiswal Aged About 38 Years Presently Working As Data Entry Operator At Janpad Panchayat Wadrafnagar District - Balrampur-Ramanujganj (C.G.).

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Secretary, Panchayat And Gramin Vikas Vibhag, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar Naya Raipur, District - Raipur (C.G.).

2 - Collector - Balrampur District Balrampur - Ramanujganj (C.G.).

3 - Chief Executive Officer Zila Panchayat Balrampur, District - Balrampur-Ramanujganj (C.G.).

4 - Chief Executive Officer Janpad Panchayat Wadrafnagar District - Balrampur - Ramanujganj (C.G.).

... Respondent(s)

For Petitioner(s)	:	Ms. Kusum Lalchandani, Advocate on behalf of Mr. A.K. Yadav, Advocate.
For Respondent(s)/State	:	Mr. Arpit Agrawal, Panel Lawyer.
For Respondent No. 4	:	Ms. Priyanka Rai, Advocate on behalf of Ms. Supriya Upasane, Advocate.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

26/02/2026

1. By way of this writ petition, the petitioner has prayed for following reliefs:-

"10.1 That this Hon'ble Court may kindly be pleased to call for the entire record pertaining to the present case.

10.2 That this Hon'ble Court may please to quash the impugned order dated 05-09-2022 (ANNEXURE P-1) Passed by the Chief Executive Officer, Zilla Panchayat Balrampur-Ramanujganj, District-Balrampur-Ramanujganj (C.G.).

10.3 That this Hon'ble court may kindly be pleased to direct the respondent authority to consider the recommendation of the Respondent No.4 for regularization the service of the petition on the post of data entry operator within prescribed period.

10.4 That this Hon'ble court may kindly be pleased to direct the respondent authority for considering the case of the petitioner for regularization of the service on the

post of Data Entry Operator.

10.5 That this Hon'ble court may further be pleased to pass any other order in favor of petitioner as it may deem fit and proper under the facts and circumstances of the case with cost"

2. Brief facts of the case, is that, the petitioner was appointed to the post of Data Entry Operator at Janpad Panchayat Wadrafnagar against a vacant post on a temporary basis with effect from 16.01.2013, as is evident from the memorandum dated 07.01.2019, and since then his services have been extended from year to year without interruption; that the Petitioner has been continuously discharging his duties on the said post since 2013 against a sanctioned vacant post and has rendered sincere service with an unblemished record. Being aggrieved by the illegal, arbitrary and discriminatory action of the respondent authorities in not considering his case for regularization, the Petitioner earlier approached this Hon'ble Court by filing W.P. (S) No. 4579/2022, which was disposed of on 05.07.2022 granting liberty to submit a representation to the competent authority for regularization. In compliance with the said order, the Petitioner submitted a detailed representation along with a certified copy of the order and relevant documents on 29.07.2022; however, despite repeated oral and written representations, the same has not been duly considered by the respondents, and the impugned order dated 05.09.2022 is illegal, arbitrary and contrary to the

applicable law and rules. Hence, the present writ petition has been filed seeking appropriate directions for regularization of the Petitioner's services.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been continuously discharging his duties as a Data Entry Operator since the year 2013, however, despite rendering uninterrupted service for a considerable period, he continues to be treated merely as a daily wage employee. It is further submitted that a perusal of the material placed on record reveals that the State Government, vide order dated 04.11.2016, issued specific directions to the effect that, subject to availability of vacancies, the services of Data Entry Operators may be considered and engaged on a preferential basis. Learned counsel contends that notwithstanding the said policy decision and the fact that the petitioner has been performing the functions and responsibilities attached to the post of Data Entry Operator, the respondents have failed to accord him the status and benefits commensurate with the said post and have continued to treat him as a daily wager. In such circumstances, it is earnestly prayed that this Hon'ble Court may be pleased to issue appropriate directions to the concerned respondent authorities to regularize the services of the petitioner on the post of Data Entry Operator in accordance with law.
4. On the other hand, learned counsel appearing for respondent No. 4 submits that the petitioner was initially appointed to the post of

Data Entry Operator for a specific programme, however, upon completion of the said programme and in the absence of any vacant sanctioned post, his services were duly terminated in accordance with law. It is further submitted that, subsequent thereto, the petitioner was engaged in a different department under the Social Welfare Department in the capacity of a daily wage worker, which engagement was entirely distinct and independent from his earlier appointment as Data Entry Operator. Learned counsel contends that since the petitioner's initial appointment was purely programme-based and came to an end upon completion of the project, and as no sanctioned vacancy exists against which regularization could be considered, the relief sought for regularization on the post of Data Entry Operator is wholly misconceived and untenable in law.

5. Learned counsel appearing on behalf of the State submits that, in terms of the order dated 04.11.2016, it has been specifically directed that in the event vacancies are not available, the State Government shall forward the names of all concerned persons to the competent department, so as to enable the department to examine each case individually and take an appropriate decision in accordance with law.
6. I have heard learned counsel for the parties and perused the material available on record.
7. Considering the totality of the facts and circumstances of the case, and further taking into account that the petitioner is

presently working as a Daily Wager Employee, this Court deems it appropriate to direct the concerned respondent authorities to examine and consider the petitioner's case in the light of the memo dated 04.11.2016, and thereafter to pass a reasoned and appropriate order strictly in accordance with law within a reasonable period of time.

8. The petitioner is granted liberty to approach the concerned respondent authority by submitting a certified copy of this order and to file a comprehensive representation raising all relevant grounds and grievances before the said authority, who shall thereafter consider and decide the same in accordance with law within a reasonable period of time.
9. With this observation and direction, the writ petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)

Judge