



2026:CGHC:15160

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPS No. 2368 of 2022

**1** - Smt. Kunwara Bai W/o Shri Ramcharan Baghel Aged About 40 Years Pesha Majdhur R/o Village Gokulpur Nevra Zila Bilaspur Chhattisgarh.

**... Petitioner(s)**

**versus**

**1** - State Of Chhattisgarh Sachiv, Lok Nirman Vibhag, Mantralaya Mahanadi Bhawan Naya Raipur Zila Raipur Chhattisgarh.

**2** - Mukhy Abhiyanta, Rashtiya Rajmarg Prikshetr Lok Nirman Vibhag Penshan Bada Raipur, Zila Raipur Chhattisgarh.

**3** - Anuvibhagiya Adhikari, Kariyalay Anuvibhagiya Adhikari Lok Nirman Vibhag Rashtiya Rajmarg Upsambhag Bilaspur Zila Bilaspur Chhattisgarh.

**... Respondent(s)**

(Cause Title is taken from Case Information System)

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|-----------------------|------------------------------------------------------------------------------------------|
| For Petitioner/s      | : Shri Abhishek Dahariya, Advocate holding the brief of Shri Abdul Wahab Khan, Advocate. |
| For Respondent/ State | : Shri Abhuday Tripathi, P.L.                                                            |

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**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**01.04.2026**

1. The petitioner has filed this petition seeking the following reliefs:

“10.1 यह कि उत्तरवादीगण कमांक 03 द्वारा जारी प्रश्नाधीन आदेश परिशिष्ट पी- 01 को अपारत / शून्य/निरस्त किया जाने।

10.2 यह कि उत्तरवादीगण क.02 व 03 को निर्देशित किया जाने कि वे याचिकाकर्ती को प्राथमिकता के आधार पर पूर्ववत शीघ्र काम पर रखने कार्यवाही करें।

10.3 यह कि उत्तरवादीगण को निर्देशित किया जावे कि याचिकाकर्ती को नियमित नियुक्ति देने कार्यवाही करें।

10.4 यह कि, अन्य अनुतोष जो माननीय न्यायालय उचित समझे उत्तरवादीगण से याचिक को दिलाया जावें।"

2. Learned counsel for the petitioner would submit that the petitioner was a daily-rated employee under the respondents and his services were discontinued without affording due opportunity of hearing. He would submit that in WP(S) No.1381 of 2021, a direction was issued to the respondent authorities to consider the claim of the petitioner for regularization within a period of 120 days. He would submit that the representation made by the petitioner was rejected vide order dated 26.6.2021. He would submit that the decision with regard to discontinuation of services of the petitioner was taken by the respondent authorities without affording opportunity of hearing, in violation of the principles of natural justice, therefore, the order Annexure-P/1 may be quashed and a direction may be issued to the respondent authorities to consider the name of the petitioner.
3. On the other hand, learned counsel for the State would oppose the submissions made by counsel for the petitioner. He would submit that as the petitioner was a daily-rated employee working under the respondents, he ought to have raised a dispute under the provisions of the Industrial Disputes Act, 1947 and therefore, this petition is not maintainable.

4. I have heard learned counsel for parties and perused the documents available on record.
5. A perusal of Annexure-P/1 would show that the petitioner was a daily-rated employee and his services were discontinued. The petitioner has filed this petition claiming therein regularization or continuation of service but at present, the petitioner is not in service, therefore, the reliefs claimed by the petitioner cannot be granted. Accordingly, this petition is dismissed. However, the petitioner would be at liberty to avail the remedy available under the law.

**Sd/-**  
**(Rakesh Mohan Pandey)**  
Judge