



2026:CGHC:15262



2026:CGHC:15262

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 2959 of 2026**

**1 - Smt. Geetanjali Thakur W/o Late Shri Ganesh Singh Aged About 42 Years**  
Occupation - Computer Data Entry Operator (As A Daily Wager), Posted At Forest Range Office, Sakti, Distt.- Sakti (C.G.) R/o Village- Rishda, Post - Muktaraja, District- Janjgir-Champa, (Chhattisgarh) A Premier Posting Champa Janjgir-Champa (C.G.)

**2 - Omprakash Tiwari S/o Santram Tiwari Aged About 52 Years** Occupation - Office Assistant (As A Daily Wager), Posted At Division Forest Office, Janjgir-Champa, Distt.- Janjgir-Champa, (C.G.), R/o I-B. Rest House Road, Opposite Devine Public School, Ward No. 18 Janjgir, Distt.- Janjgir-Champa (C.G.)

**3 - Smt. Manjula Thakur W/o Rajkumar Aged About 46 Years** Occupation - Computer Operator (As A Daily Wager), Posted At Forest Range Office, Etma Nagar, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Qtr. No. 1, Ward No. 7, Sikaripara, Barbhantha, Sarswati Nagar, Katghora, Distt.- Korba (C.G.)

**4 - Vijay Singh Chouhan S/o Late Lakhanlal Chouhan Aged About 41 Years** Occupation - Computer Operator (As A Daily Wager), Posted At Forest Range Office, Katghora, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Forest Colony, Katghora, Distt.- Korba (C.G.)

**5 - Mahendar Kumar Jaiswal S/o Sunil Jaiswal Aged About 38 Years** Occupation - Office Assistant (As A Daily Wager), Posted At Forest Range Office, Katghora, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Purani Basti Ward No. 10, Katghora, Distt.- Korba (C.G.)



**6** - Ghanshyam Yadav S/o Itwar Yadav Aged About 35 Years Occupation - Computer Operator (As A Daily Wager), Posted At Forest Range Office, Kendai, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village- Hunkra, Post And Tahsil- Katghora, Distt.- Korba (C.G.)

**7** - Jarvan Kumar Yadav S/o Shri Sahas Ram Yadav Aged About 43 Years Occupation - Computer Operator/ Clerk (As A Daily Wager), Posted At Forest Range Office, Pasan, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village, Post And Tahsil- Pasan, Ward No. 7 Dhanapara, Distt.- Korba (C.G.)

**8** - Rajprakash Singh S/o Charan Singh Aged About 37 Years Occupation - Office Assistant (As A Daily Wager), Posted At Forest Range Office, Kendai, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Ward No. 13 Kenadanda, Darrabhatha, Distt.- Korba (C.G.)

**9** - Rishi Kumar S/o Sevakram Aged About 45 Years Occupation - Office Assistant (As A Daily Wager), Posted At Forest Range Office, Jatga, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village And Post - Jatga, Tahsil- Pasan, Distt.- Korba (C.G.)

**10** - Mohan Singh S/o Dhansingh Aged About 41 Years Occupation - Surksha Shramik (As A Daily Wager), Posted At Forest Range Office, Kendai, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village Madanpur, Morga, Patelpara, Distt.- Korba (C.G.)

**11** - Ritesh Kumar Jaiswal S/o Kamta Prasad Jaiswal Aged About 38 Years Occupation - Computer Operator (As A Daily Wager), Posted At Forest Range Office, Jatga, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village- Podikhurd, Post - Lad, Tahsil Podi Uproda, Distt.- Korba (C.G.)

**12** - Dilmohan S/o Sury Bhavan Aged About 37 Years Occupation - Surksha Shramik (As A Daily Wager), Posted At Forest Range Office, Etma Nagar, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village - Koda, Post - Banjhiban, Tahsil - Podi, Uproda, Distt.- Korba (C.G.)



**13** - Devnarayan Markam S/o Rajaram Markam Aged About 45 Years Occupation - Surksha Shramik (As A Daily Wager), Posted At Forest Range Office, Kendai, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Ward No. 9, Raha, Sapalwa, Korba, Distt.- Korba (C.G.)

**14** - Rupsaran S/o Mahettardas Aged About 35 Years Occupation - Choukidar (As A Daily Wager), Posted At Forest Range Office, Kendai, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o House No. 52, Bagdara, Korba, Distt.- Korba (C.G.)

**15** - Budhram S/o Budhau Aged About 55 Years Occupation - Surksha Shramik (As A Daily Wager), Posted At Forest Range Office, Kendai, Division Forest Office, Katghora, Distt.- Korba (C.G.), R/o Village And Post - Morga, Korba, Distt.- Korba (C.G.)

**16** - Mayaram Yadav S/o Late Bihari Ram Yadav Aged About 46 Years Occupation - Office Assistant (As A Daily Wager), Posted At Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Mohlain Bhatha, Ward No. 8, Eidgah Boundary, Katghora, Distt.- Korba (C.G.)

**17** - Uttam Poya S/o Bandhusingh Poya Aged About 37 Years Occupation - Surksha Shramik (As A Daily Wager), Posted At Forest Range Office, Jatga, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village- Darripara, Post - Jatga, Tahsil- Pasan, Distt.- Korba (C.G.)

**18** - Kantlal S/o Devlal Aged About 37 Years Occupation - Surksha Shramik (As A Daily Wager), Posted At Forest Range Office, Jatga, Division Forest Office, Katghora, Distt.- Korba (C.G.) R/o Village - Sunkidih, Post - Jatga, Tahsil- Pasan, Distt.- Korba (C.G.)

**... Petitioners**

**versus**

**1** - State Of Chhattisgarh Through- Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur



(Chhattisgarh)

**2** - Principal Chief Conservation Of Forest Forest Department, Aranya Bhawan, Atal Nagar, Nava Raipur, District- Raipur, (Chhattisgarh)

**3** - Chief Conservation Of Forest Bilaspur, Circle- Bilaspur, District- Bilaspur (Chhattisgarh)

**4** - Division Forest Officer Forest Division - Janjgir-Champa Sakti, Distt.- Janjgir-Champa (C.G.)

**5** - Division Forest Officer Forest Division- Katghora, Distt.- Korba (C.G.)

**... Respondents**

|                 |   |                                |
|-----------------|---|--------------------------------|
| For Petitioners | : | Mr. Lav Sharma, Advocates      |
| For State       | : | Mr. Ajay Kumrani, Panel lawyer |

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

**Order on Board**

**02.04.2026**

1. Petitioners have filed this petition seeking following reliefs:

“10.1 That, this Hon'ble Court may kindly be pleased to call for the records of the case of the petitioners.

10.2 That, this Hon'ble Court may kindly be pleased to direct respondent authorities to consider the case of petitioners, regarding their regularization on their respective post 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 and subsequent other series of cases of Hon'ble Supreme Court of India.

10.3 The Hon'ble Court may kindly be pleased to direct respondents to consider the case of petitioners for regularization from the date of completion of 10 year of service taking into account of seniority and their length



of continuation of service as daily wagers on vacant and section post with all consequential benefits.

10.4 This Hon'ble Court may be pleased to further direct the respondent authorities to frame the guidelines in respect of regularization of the daily wages employees who have been appointed after creation of State of Chhattisgarh and completed more than 10 years of service in light of the law settled by the Hon'ble Supreme Court in the case of Narendra Kumar Tiwari & Ors. V. State of Jharkhand & Ors. Reported in 2018(8) SCC 238 = 2018(2) SCC (L&S) 472 and in the case of State of Karnataka & Ors Vs. M.L. Kesari & Ors. Reported in 2010 (2) SCC (L&S) 826= 2010 (9) SCC 247 well as passed in case of Jaggo Vs. Union of India and subsequent other series of cases of Hon'ble Supreme Court of India and consider the case of the petitioners in light of the said judgment pronounces as a one time measure and any other relief as deemed fit as per Hon'ble High Court."

2. Learned counsel for petitioners submits that petitioners were initially engaged as daily wage employee in the respondent - Department on collector rate with effect from the date as mentioned below:

| S.No. | Name of Petitioner     | Date of Engagement |
|-------|------------------------|--------------------|
| 1.    | Smt. Geetanjali Thakur | 01.09.2009         |
| 2.    | Omprakash Tiwari       | 01.03.2012         |
| 3.    | Smt. Manjula Thakur    | 21.05.2012         |
| 4.    | Vijay Singh Chouhan    | 01.10.2011         |
| 5.    | Mahendra Kumar Jaiswal | 01.12.2009         |
| 6.    | Ghanshyam Yadav        | 01.07.2012         |
| 7.    | Jarvan Kumar Yadav     | 01.03.2006         |
| 8.    | Rajprakash Singh       | 01.03.2016         |
| 9.    | Rishi Kumar            | 01.05.2010         |
| 10.   | Mohan Singh            | 01.06.2012         |
| 11.   | Ritesh Kumar Jaiswal   | 01.06.2012         |
| 12.   | Dilmohan               | 01.02.2015         |



|     |                   |            |
|-----|-------------------|------------|
| 13. | Devnarayan Markam | 01.01.2011 |
| 14. | Rupsaran          | 01.01.2016 |
| 15. | Budhram           | 01.01.2013 |
| 16. | Mayaram Yadav     | 01.07.2008 |
| 17. | Uttam Poya        | 01.06.2013 |
| 18. | Kantlal           | 01.11.2013 |

He submits that as of now petitioners have completed more than a decade of service as daily wage employee and they are still continuously working in the same capacity. He further contended that in view of the law laid down by Hon'ble Supreme Court, petitioners are also entitled for consideration for regularization of their service on the post, on which, they are working for more than a decade. He, however, submits that at this stage petitioners may be permitted to submit fresh representation before the appropriate authorities and the said authorities be directed to take decision on the representation expeditiously thereafter.

3. Learned counsel for the State opposes the prayer made for regularization on the ground that petitioners are not covered under Circular dated 05.03.2008 issued by the State Govt. for regularization of service of daily wage employee/temporary employees. In support of her contention, he places reliance upon the decision in the case of **Premasagar Chouhan & Ors. Vs. State of Chhattisgarh and Ors** (WPS No.4036 of 2011, decided on 01.04.2024).

4. I have heard learned counsel for the parties and also perused the documents annexed along with writ petition.

5. Claim of the petitioners is that petitioners were engaged in service as daily wage employee on collector rate and are continuously



working for more than a decade. Most of the petitioners have continuously worked for about 10 years as daily wage employees. Now they have become overage.

6. Hon'ble Supreme Court in recent decisions have taken into consideration its earlier decision in case of **Secretary, State of Karnataka and others Vs. Umadevi (3) and others**, reported in **(2006) 4 SCC 1** and thereafter considering the facts of those cases, in particular engagement of petitioners/appellants therein continuously for more than a decade, have considered the issue of regularization of their service.

7. In case of **Narendra Kumar Tiwari & Others Versus State of Jharkhand & Others**, reported in SCC (L&S) 2018 (2) 472 Hon'ble Supreme Court has considered the issue of claim of regularization of temporary/daily wage 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.

8. Hon'ble Supreme Court in case of **Bhola Nath Vs. The State of Jharkhand & Ors.** [SLP (Civil) No.30762 of 2024] and connected Special Leave Petitions (Civil) vide its order dated 30<sup>th</sup> January 2026 has observed that 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.

9. Recently, Hon'ble Supreme Court in case of **Dharam Singh & Ors. Vs. State of UP & Anr.** (2025 SCC OnLine SC 1735) has strongly deprecated the culture of "ad-hocism" adopted by States in their capacity as employers. Hon'ble Supreme Court also 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 and observed thus:

**"17.** Before concluding, we think it necessary to recall that the State (here referring to both the Union and the State governments) is not a mere market participant but a constitutional employer. It cannot balance budgets on the backs of those who perform the most basic and recurring public functions. Where work recurs day after day and year after year, the establishment must reflect that reality in its sanctioned strength and engagement practices. The long-term extraction of regular labour under temporary labels corrodes confidence in public administration and offends the promise of equal protection. Financial stringency certainly has a place in public policy, but it is not a talisman that overrides fairness, reason and the duty to organise work on lawful lines.

**18.** Moreover, it must necessarily be noted that "ad-hocism" thrives where administration is opaque. The



State Departments must keep and produce accurate establishment registers, muster rolls and outsourcing arrangements, and they must explain, with evidence, why they prefer precarious engagement over sanctioned posts where the work is perennial. If “constraint” is invoked, the record should show what alternatives were considered, why similarly placed workers were treated differently, and how the chosen course aligns with Articles 14, 16 and 21 of the Constitution of India. Sensitivity to the human consequences of prolonged insecurity is not sentimentality. It is a constitutional discipline that should inform every decision affecting those who keep public offices running.

x      x      x

**20.** We have framed these directions comprehensively because, case after case, orders of this Court in such matters have been met with fresh technicalities, rolling “reconsiderations,” and administrative drift which further prolongs the insecurity for those who have already laboured for years on daily wages. Therefore, we have learned that Justice in such cases cannot rest on simpliciter directions, but it demands imposition of clear duties, fixed timelines, and verifiable compliance. As a constitutional employer, the State is held to a higher standard and therefore it must organise its perennial workers on a sanctioned footing, create a budget for lawful engagement, and implement judicial directions in letter and spirit. Delay to follow these obligations is not mere negligence but rather it is a conscious method of denial that erodes livelihoods and dignity for these workers. The operative scheme we have set here comprising of creation of supernumerary posts, full regularization, subsequent financial benefits, and a sworn affidavit of compliance, is therefore a pathway designed to convert rights into outcomes and to reaffirm that fairness in engagement and transparency in



administration are not matters of grace, but obligations under Articles 14, 16 and 21 of the Constitution of India.”

10. Decision relied upon by learned counsel for the State in case of **Premasagar Chouhan** (supra) is on different facts. In that case, respondent department with whom petitioners therein were working have issued a letter for discontinuation of their services and they were subsequently discontinued which was subject matter of consideration in that writ petition and therefore, decision relied upon by respondent-State is entirely on different facts.

11. In the aforementioned facts of case more particularly the period of engagement of petitioners as daily wage employee and recent decisions of Hon'ble Supreme Court on the point of regularization as discussed in preceding paragraphs, this writ petition is disposed of permitting the petitioners to submit a comprehensive fresh representation before respondent authority seeking regularization and if such representation is submitted, concerned authority shall consider and decide the claim of petitioners sympathetically in an objective manner, expeditiously, preferably within a further period of four months from the date of receipt of representation, keeping in mind the decision of Hon'ble Supreme Court in cases of **Narendra Kumar Tiwari** (supra) **Jaggo** (supra), **Bhola Nath** (supra) and **Dharam Singh** (supra).

sd/-

**(Parth Prateem Sahu)**

Judge