



2026:CGHC:14288-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 9536 of 2025

1 - Rajesh Bais S/o Shri Damodar Prasad Bais Aged About 51 Years R/o Shri Krishna Goshala, Madhuvan Road, Bilaspur Distt- Bilaspur (Chhattisgarh) Pin No. 495-001

2 - Pramod Samund S/o Shri Kamlu Prasad Samund Aged About 47 Years R/o Shri Krishna Goshala, Madhuvan Road, Bilaspur Distt- Bilaspur (Chhattisgarh) Pin No. 495-001

... Petitioners

versus

1 - Union Of India Through- The Secretary, Department Of Revenue, Ministry Of Finance, North Block, New Delhi 110001

2 - Central Board Of Direct Taxes, Through- Its Chairman, North Block, New Delhi 110001

3 - Chief Commissioner Of Income Tax Aayakar Bhawan, Hoshangabad Road, Opposite Maida Mill, Bhopal (M.P.). 462011

4 - Chief Commissioner Of Income Tax Central Revenue Building Civil Lines, Raipur- Chhattisgarh 492001

5 - Commissioner Of Income Tax Aayakar Bhawan, Vyapar Vihar Bilaspur Chhattisgarh 495001

6 - Zonal Account Officer Aayakar Bhawan, Hoshangabad Road, Opposite Maida Mill Bhopal (M.P.) 462011

7 - Naresh Yadav S/o Ramadhar Yadav Aged About 47 Years R/o Vidya Nagar Gayatri Mandir Chowk, Distt.- Bilaspur (C.G.).

... Respondents

For Petitioners	: Shri Anshuman Shrivastava, Advocate appears along with Ms. Rameshwari Kumari, Advocate
For UOI/Respondents No. 1 to 6	: Shri Ramakant Mishra, Dy. Solicitor General appears along with Shri Rishabh Dev Singh, Advocate
For Respondent No.7	None

DB: Hon'ble Shri Justice Sanjay S. Agrawal &
Hon'ble Shri Justice Amitendra Kishore Prasad
Order On Board

Per **Sanjay S. Agrawal, J**

25/03/2026

- 1) By virtue of this petition, the petitioners are questioning the legality and propriety of the order dated 11.10.2013 passed by the Central Administrative Tribunal, Jabalpur Bench, Jabalpur (hereinafter referred to as 'the Tribunal') in Original Application No.441/2012, whereby, the claim of the petitioners seeking their regularization on the basis of the judgment delivered by Hon'ble the Supreme Court in the matter of **T.N. Godavarman Thirumulpad Vs. Union of India and Others**, reported in **(2006) 1 SCC 1**, has been refused.

- 2) Learned counsel appearing for the petitioners while referring to the order dated 13.03.2018 passed by Hon'ble the Supreme Court in Civil Appeal No(s).2795-2796 of 2018 [arising out of SLP (C) Nos. 33258-33259 of 2015] in the matter of **Ravi Verma And Ors. Vs. Union of India And Ors.**, submits that since the impugned judgment of the Tribunal has already been set-aside, therefore, the petitioners, be

regularized with effect from 01.07.2006 as their case is similar to that of the Appellants therein, i.e. "Ravi Verma And Others".

- 3) While opposing the aforesaid contention of the petitioners, it is submitted by the learned counsel appearing for the respondents/Union of India that since the petition as framed is suffers from its delay and laches, therefore, they are not entitled to be regularized, as claimed by them. The petition as framed is, therefore, liable to be dismissed.
- 4) We have heard learned counsel appearing for the parties and perused the entire record.
- 5) From perusal of the record, it appears that by virtue of the order impugned, the concerned Tribunal has decided other similar matters also, in which, one of the petitioners, namely, Ravi Verma, whose claim was also of similar in nature and which was refused by the Tribunal, as well as by the High Court of Madhya Pradesh, was questioned before Hon'ble the Supreme Court, whereby, the common order as delivered by the Tribunal on 11.10.2013, has been set-aside. Paragraphs 12 to 15 of the said judgment are relevant for the purpose which read as under :-

"12. Having heard learned counsel for the parties at length, we are of the considered opinion that appointments were only irregular one, this Court observed in para 53 *Uma Devi* (supra) thus :

"53. One aspect needs to be clarified. There may be cases where irregular appointments (not illegal appointments) as explained in *S.V. NARAYANAPPA* (supra), *R.N. NANJUNDAPPA* (supra), and *B.N. NAGARAJAN* (supra), and referred to in paragraph 15 above, of duly qualified persons in duly sanctioned vacant posts might have been made and

the employees have continued to work for ten years or more but without the intervention of orders of courts or of tribunals. The question of regularization of the services of such employees may have to be considered on merits in the light of the principles settled by this Court in the cases above referred to and in the light of this judgment. In that context, the Union of India, the State Governments, and their instrumentalities should take steps to regularize as a one time measure, the services of such irregularly appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of the courts or of tribunals and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that require to be filled up, in cases where temporary employees or daily wagers are being now employed. The process must be set in motion within six months from this date. We also clarify that regularization, if any already made, but not subjudice, need not be reopened based on this judgment, but there should be no further by-passing of the constitutional requirement and regularizing or making permanent, those not duly appointed as per the constitutional scheme.”

13. In view of the aforesaid decision, the circulars and regularization of the similarly situated employees at other places and various recommendation that were made the services of the appellants ought to have been regularized in the year 2006; discriminatory treatment has been meted out to them. As per the decision of *Uma Devi (supra)*, they were entitled to regularization of services; they did not serve under the cover of court's order. Illegality has been committed by not directing regularization of services.

14. We direct that the services of the appellants be regularised w.e.f. 1st July 2006 they are entitled to consequential benefit also let the respondents comply with the order in a period of three months from today.

15. The judgments and orders of the High Court and the CAT are set aside. The appeals are allowed to the aforesaid extent.”

- 6) As observed herein above that the case of the petitioners is similar to that of said **Ravi Verma and Others**, therefore, the petitioners would also be entitled to get the regularization as passed by Hon'ble the Supreme Court in the said matter of "Ravi Verma And Others Vs. Union of India And Others". Accordingly, the order passed by the Tribunal on 11.10.2013 in Original Application No. 441/2012, insofar as the present petitioners is concerned, is hereby set-aside.
- 7) Consequently, the petition is allowed and the concerned Respondents are directed to regularize the services of the petitioners with effect from 01.07.2006 and grant them consequential benefits flowing therefrom within a period of three months from today, failing which, consequential benefits will carry interest @ 10% per annum.
- 8) No order as to cost(s).

Sd/-
(Sanjay S. Agrawal)
Judge

Sd/-
(Amitendra Kishore Prasad)
Judge