



2026:CGHC:12935



2026:CGHC:12935

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 392 of 2021

* - Bhojram Nishad S/o Late Budhram Nishad Aged About 50 Years R/o Village Lafinkhurd, Post Lafinkhurd, P.S. Mahasamund Tahsil And District District : Mahasamund, Chhattisgarh

... Petitioner

Versus

1 - State Of Chhattisgarh Through The Secretary, Capital Complex, New Raipur, District : Raipur, Chhattisgarh

2 - Chief Engineer Mahanadi Godawari Kachhar, Kodar Pariyojna, Mahasamund, District : Mahasamund, Chhattisgarh

3 - Executive Engineer Kodar Nahar, Mahasamund, District : Mahasamund, Chhattisgarh

... Respondents

For Petitioner	:	Mr. A.N. Bhakta, Advocate
----------------	---	---------------------------

For Respondents/State	:	Mr. Keshav Prasad Gupta, Government Advocate
-----------------------	---	---

Hon'ble Shri Justice Rakesh Mohan Pandey **Order on Board**

18/03/2026

1. The petitioner has filed this petition seeking the following relief(s):-

“10.1 That the Hon'ble Court may be kind enough to call the record of the petitioner.

10.2 That the Hon'ble court may kind enough to issue a Writ/Writs, Order/Orders, Direction. Directions and to direct the respondents to comply the circulars dated 5-3-2008 and 16-8-2012 and to regularize the services of the Petition from the date of his juniors.

10.3 That the Hon'ble Court may be kind enough to issue any Writ/writs, order/orders, direction/directions and to command the



respondents to regularised the services of the petitioner in the settled position of law.

10.4 That the Hon'ble Court may be kind enough to pass any appropriate writ, order or direction to the respondents as deemed fit in the circumstances of the case.”

2. Mr. A.N. Bhakta, learned counsel appearing for the petitioner would submit that the petitioner was appointed as daily rated employee under the respondents in the year 1985. He would contend that the services of the petitioner were discontinued and therefore, statement of claim was filed before the learned Labour Court. He would submit that the learned Labour Court passed order of reinstatement in favour of the petitioner vide award dated 11.05.2011. He would submit that the said award attained finality as State Government did not challenge it. He would contend that though the petitioner is working with the respondents since 1985, but till date his claim for regularisation has not been considered. He would submit that the State Government has issued Circulars dated 05.03.2008 and 16.08.2012 drawing parameters to consider the claim of daily rated employees for regularisation. He would further submit that the respondent authorities may be directed to consider the claim of the petitioner for regularisation in light of the Circulars dated 05.03.2008 and 16.08.2012.
3. On the other hand, Mr. Keshav Prasad Gupta, learned Government Advocate appearing for the State/respondents would oppose. He would submit that the petitioner has no right to claim regularisation. He would submit that the petitioner is still working as daily rated employee under the respondents pursuant to order passed by the learned Labour Court. He would submit that the petition deserves to be dismissed.



4. I have heard learned counsel for the parties and perused the documents annexed with the instant petition.
5. The petitioner was reinstated in service pursuant to order passed by the learned Labour Court dated 11.05.2011. The petitioner was engaged with the respondents as daily rated employee in the year 1985 and he is still in service. The State Government has issued Circulars dated 05.03.2008 and 16.08.2012 framing parameters for regularisation of services of daily rated employees. It appears that the respondent authorities have not considered the claim of the petitioner for regularisation in light of the above stated circulars, therefore, this petition, at this juncture, is disposed of with a direction to respondent No. 2 and 3 to consider the claim of the petitioner for regularisation in the light of Circulars dated 05.03.2008 and 16.08.2012. The petitioner would be at liberty to make representation before respondent No. 2 and 3 within a period of 30 days from today and in turn, the said authorities shall decide it in objective manner keeping in mind the Circulars dated 05.03.2008 and 16.08.2012 preferably within a period of further 90 days.
6. With the aforesaid directions(s) and observation(s), the petition is **disposed of.**

Sd/-
(Rakesh Mohan Pandey)
Judge