



2026:CGHC:14287-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 9310 of 2025

Kantu Lal S/o Shri Labha Aged About 55 Years R/o Behind Kali Mandir, Kali Nagar, Pandri, Raipur, District Raipur (C.G.) 492001

... Petitioner

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 Central Revenue Building, Civil Lines, Raipur, Chhattisgarh 492001
- 6** - Joint Commissioner Of Income Tax Range- II Central Revenue Building, Civil Lines, Raipur, Chhattisgarh 492001
- 7** - Shatrughan Mahanand S/o Late Ravi Mahanand Aged About 58 Years R/o Utkal Nagar, Civil Lines Raipur Police Station Civil Lines District Raipur Chhattisgarh 492001
- 8** - Shanti Bai W/o Deepak Deep Aged About 57 Years R/o Akash Wani, Utkal Nagar, Civil Lines Raipur (C.G.) 492001
- 9** - Smt. Shakuntala W/o Krishna Tande Aged About 56 Years R/o Pension Wada, Police Line Raipur (C.G.) 492001
- 10** - Imran Mohd. S/o Gafoor Mohd. Aged About 31 Years R/o Shashtri Market Near Sheetlamata Mandir Police Station Gol Bazar District Raipur Chhattisgarh 492001

11 - Dashrath Lal Shrivastava S/o Deenu Lal Shrivastava Aged About 49 Years R/o Gram Dhanodiya Post Singhola Police Station Lalbagh District Rajnandgaon, Chhattisgarh 491441

12 - Rohit Kumar S/o Jethu Ram Aged About 59 Years R/o Gram Saloni, District Raipur (C.G.) 492001

13 - Kumar Maheshwari S/o Mangloo Ram Aged About 47 Years R/o Behind Raven Murty Daldal, Seoni, Raipur (C.G.) 492001

14 - B. Prakash Alias B. Peeter Paul Raju S/o B. Maria Das Aged About 40 Years R/o 1/b/tip-1 Income Tax Colony, Sector 6 Police Station Kotwali District Bilai (C.G.)

15 - Smt Premwati W/o Rajkumar Aged About 48 Years R/o Quarter No 18/32, Income Tax Colony Police Station Kotwali Bilai District Durg (C.G.)

... Respondents

For Petitioner	: Shri Anshuman Shrivastava, Advocate appears along with Ms. Rameshwari Kumari, Advocate
For UOI/Respondent No. 1 to 6	: Shri Ramakant Mishra, Dy. Solicitor General appears along with Shri Rishabh Dev Singh, Advocate
For Respondent No. 7 to 15	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 petitioner is 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.879/2011, whereby, the claim of the petitioner seeking his 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 petitioner 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 petitioner, be regularized with effect from 01.07.2006 as his case is similar to that of the Appellants therein, i.e. "Ravi Verma And Others".
- 3) While opposing the aforesaid contention of the petitioner, 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, he is not entitled to be regularized, as claimed by him. 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 petitioner, 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 petitioner is similar to that of said **Ravi Verma and Others**, therefore, the petitioner 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. 879/2011, insofar as the present petitioner is concerned, is hereby set-aside.
- 7) Consequently, the petition is allowed and the concerned Respondents are directed to regularize the services of the petitioner with effect from 01.07.2006 and grant him 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

