



2026:CGHC:9386

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 29 of 2020

Narayan Singh S/o Late Tilak Ram Aged About 47 Years At Present Range Office Doundi Working At Office Of Assistant Range Office Kuwagondi, Post Doundi, Tahsil Doundi, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail Road Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

3 - Chief Conservator Of Forest Circle Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh, District : Balod, Chhattisgarh

5 - Divisional Forest Officer Division Balod/chairman, Scrutiny Committee Balod, District Balod Chhattisgarh, District : Balod, Chhattisgarh

--- **Respondents**

WPS No. 2305 of 2020

Tuka Ram S/o Shri Chunnu Ram Sahu @ Chhunu Ram Sahu Aged About 42 Years At Present Posed At Forest Range Doundi, Forest Division Balod, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---**Petitioner**

Versus

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

2 - Principal Chief Conservator Of Forest Head Quarter, Jail Road, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

3 - Chief Conservator Of Forest, Circle, Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh, District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod/chairman,
Scrutiny Committee Balod, District Balod Chhattisgarh,
District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 36 of 2020

Roop Singh S/o Laxman Sevata Aged About 48 Years Working
At Forest Range Office Gurur, Tahsil Gurur, District Balod
Chhattisgarh., District : Balod, Chhattisgarh

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through Secretary, Forest
Department, Mantralaya, Mahanadi Bhawan , Atal Nagar, Nawa
Raipur, District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail
Road, Raipur , District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg, District Durg
Chhattisgarh., District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh.,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod/ Chairman,
Scrutiny Committee Balod, District Balod Chhattisgarh., District
: Balod, Chhattisgarh

--- **Respondents**

WPS No. 885 of 2020

Radheshyam S/o Baliram Halwa Aged About 49 Years R/o
Village Tumdikasa, Post Officer, Bhanwarmala, Tahsil Lohara,
District Balod Chhattisgarh, District : Balod, Chhattisgarh

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through The Secretary, Forest
Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa
Raipur District Raipur Chhattisgarh, District : Raipur,
Chhattisgarh

2 - Principal Chief Conservator Of Forest, Mantralaya, Mahanadi
Bhawan, Atal Nagar, Nawa Raipur, District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg District Durg
Chhattisgarh, District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod District Balod Chhattisgarh,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Division Balod/ Chairman, Scrutiny Committee Balod, District Balod Chhattisgarh, District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 55 of 2020

Rohit Kumar S/o Bharat Lal Aged About 52 Years R/o. Village Parras, Ward No. 18, Budhapara, Tahsil And Post Balod, District Balod, Chhattisgarh. At Present Posted At Gurur, Forest Range Office Gurur Circle, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through- Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail Road, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod / Chairman,
Scrutiny Committee Balod, District Balod, Chhattisgarh.,
District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 43 of 2020

Bisnath Korram S/o. Late Dhana Ram Korram Aged About 45
Years Working At Forest Range Gurur, Circle Kochwahi, Tahsil
Gurur, District Balod Chhattisgarh, District : Balod,
Chhattisgarh

---**Petitioner**

Versus

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

2 - Principal Chief Conservator Of Forest Head Quarter, Jail
Road, Raipur, District Raipur Chhattisgarh, District : Raipur,
Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg, District Durg
Chhattisgarh, District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod/ Chairman,
Scrutiny Committee Balod, District Balod Chhattisgarh,
District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 54 of 2020

Dhan Singh S/o Kanhai Ram Aged About 50 Years Present
Posted At Forest Range Office Doundilohara, Circle Lohartla,
Tahsil Doundilohara, District Balod Chhattisgarh., District :
Balod, Chhattisgarh

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through Secretary, Forest
Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa
Raipur, District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail
Road, Raipur, District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg, District Durg
Chhattisgarh., District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh.,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod / Chairman,
Scrutiny Committee Balod, District Balod Chhattisgarh., District
: Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 365 of 2020

Nar Singh Netam S/o Duvaru Ram Netam Aged About 47 Years
Present Posted At Range Office Gurur And Working At Office Of
Assistant Range Officer Kuwagondi, Post Doundi, Tahsil Doundi,
District Balod Chhattisgarh, District : Balod, Chhattisgarh

---**Petitioner**

Versus

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

2 - Principal Chief Conservator Of Forest Head Quarter, Jail
Road, Raipur, District Raipur Chhattisgarh, District : Raipur,
Chhattisgarh

3 - Chief Conservator Of Forest Circle Durg, District- Durg
Chhattisgarh, District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod/chairman,
Scrutiny Committee Balod, District Balod Chhattisgarh,
District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 367 of 2020

Udho Ram Son Of Paltan Ram Aged About 60 Years R/o Village
Parsada, District Balod Chhattisgarh., At Present Posted At
Doundi, Forest Range Office Doundi Circle, District Balod
Chhattisgarh., District : Balod, Chhattisgarh

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through Secretary, Forest
Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa
Raipur, District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail
Road, Raipur, District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg, District Durg
Chhattisgarh., District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod Chhattisgarh.,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod/ Chairman, Scrutiny Committee Balod, District Balod Chhattisgarh., District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 40 of 2020

Smt. Kunwar Bai W/o Hiralal Yadav Aged About 43 Years R/o. House No. 12, Warde No. 1, Kanhargaon, Ricemillpara, Bhanupratappur, District North Bastar, Chhattisgarh. Present Posted Forest Circle, Doundi, Tahsil Doundi, District Balod, Chhattisgarh.

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through- Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail Road, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

3 - Chief Conservator Of Forest Circle, Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

4 - Divisional Forest Officer Balod, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod / Chairman,
Scrutiny Committee Balod, District Balod, Chhattisgarh.,
District : Balod, Chhattisgarh

--- **Respondent(s)**

WPS No. 348 of 2020

Dewar Singh S/o Maharu Ram Aged About 58 Years R/o. Village
Kudaridillhi, Tahsil Lohara, District Balod, Chhattisgarh And
Working At Forest Rang Office Gurur, District Balod,
Chhattisgarh., District : Balod, Chhattisgarh

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through- Secretary, Forest
Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa
Raipur, District Raipur, Chhattisgarh., District : Raipur,
Chhattisgarh

2 - Principal Chief Conservator Of Forest Head Quarter, Jail
Road, Raipur, District Raipur, Chhattisgarh., District : Raipur,
Chhattisgarh

3 - Chief Conservator Of Forest Circle Durg, District Durg,
Chhattisgarh., District : Durg, Chhattisgarh

4 - Divisional Forest Officer, Balod District Balod, Chhattisgarh.,
District : Balod, Chhattisgarh

5 - Divisional Forest Officer Forest Division Balod / Chairman,
Scrutiny Committee Balod, District Balod, Chhattisgarh.,
District : Balod, Chhattisgarh

--- **Respondent(s)**

For Petitioners/	:- Mr. Jitendra Gupta, Advocate
For Respondent/State	:- Mr. Rahul Tamaskar, G.A.

SB - Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

23.02.2026

1. Since common question of law and fact is involved in all of these writ petitions, therefore, they have been clubbed together, heard together and are being decided by this common judgment. For the sake of clarity, the facts are taken from the lead case i.e. WPS/29/2020.
2. Petitioners have filed these writ petitions calling in question the legality, validity and correctness of impugned orders dated 06/10/2018 (Annexure P-1 in each of the writ petitions which are similar but separate orders passed on the same date) by which their representations for regularisation in terms of circular dated 05/03/2008 has been rejected by the Divisional Forest Officer, Balod holding that they have not continuously worked for a period of 10 years and therefore, they are not eligible and entitled to regularisation.

3. Mr. Jitendra Gupta, learned counsel for the petitioners, would submit that in the first round of litigation, this Court, vide order dated 19/07/2017 (Annexure P/4) passed in WPS/3162/2017 (Narayan Singh v. State of Chhattisgarh and Others) in the case of petitioner Narayan Singh as well as other similar orders though passed on different dates in different writ petitions in the cases of the other petitioners herein, had clearly held that the effect of the order passed by the Labour Court would be that petitioner shall be deemed to be in service without any break and this would entitle the petitioner for due consideration for regularisation under circular dated 05/03/2008 and as such, this ought to have been considered by the competent authority while passing the order impugned and rejecting the claim of the petitioners. He would further submit that clause vii of paragraph 2 of the circular dated 05/03/2008 has also not been considered by the competent authority, however, it was considered by this Court in order dated 17/01/2025 passed in WPS/4130/2020 (Minaram Gangasagar v. The State of Chhattisgarh and Others), thus, the instant appeal be allowed and the impugned order be quashed.

4. Mr. Rahul Tamaskar, learned State counsel, would support the impugned order and submit that the finding recorded by the Divisional Forest Officer while rejecting the claim of the petitioners for regularisation is absolutely in accordance with law, as such, the instant appeal is liable to be dismissed.
5. I have heard learned counsel for the parties, considered their rival submissions made herein-above and perused the record.
6. A careful perusal of the impugned order would show that the Divisional Forest Officer has rejected the petitioners' representation for regularisation on the ground that they have not continuously worked for 10 years and they were not appointed against any vacant regular post. However, in the writ petition filed by one of the petitioners namely Narayan Singh in the first round of litigation bearing No. WPS/3162/2017 (Narayan Singh v. State of Chhattisgarh and Others) as well as in other similar orders passed in the writ petitions filed by the rest of the petitioners herein, this Court, vide order dated 19/07/2017, had already held as under :-

“3. After going through the records and orders placed by the Labour Court, it is quite clear that the effect of the order would be that the petitioner shall be deemed to be in service

without any break. This would entitle the petitioner for due consideration for regularisation under circular dated 05/03/2008. This shall be done now.”

7. In view of the aforesaid finding recorded by this Court, the finding recorded by the Divisional Forest Officer in the impugned order qua petitioners not having worked continuously for 10 years is contrary and perverse and as such, the said finding is hereby set aside.
8. So far as the contention of learned State counsel is concerned qua there being no vacant posts at present for regularisation of petitioners, this Court has already held in order dated 17/01/2025 passed in WPS/4130/2020 (Minaram Gangasagar v. The State of Chhattisgarh and Others) that in the said circular, under Clause 2 (vii), it is specifically provided that regularisation be made against sanctioned and vacant post and it further mentions that wherever in the Department it is required, supernumerary post be created. Clause 2 (vii) of the circular dated 05/03/2008 reads as under :-

“vii) नियमितीकरण स्वीकृत एवं रिक्त पद पर ही किया जाएगा | इस हेतु जिन विभागों में आवश्यक हो वहां सांख्येत्तर पद निर्मित किये जाये | यदि पद ही कलेक्टर दर पर स्वीकृत हो तो स्वीकृत पदों

(दैनिक वेतन पर) को नियमित वेतनमान में परिवर्तित (सृजित) करना होगा।”

9. The Divisional Forest Officer has also not considered the aforesaid clause 2(vii) of the circular dated 05/03/2008 while passing the impugned order and has straightway rejected the claim of the petitioners, therefore, the impugned order is hereby set aside in toto and the matter is remitted to the competent authority for considering the claim of the petitioners for regularisation in terms of order dated 19/07/2017 passed by this Court in WPS/3162/2017 (Narayan Singh v. State of Chhattisgarh and Others) as well as clause 2(vii) of the circular dated 05/03/2008 within three months from the date of receipt of a copy of this order.

10. Accordingly, these writ petitions are allowed to the extent indicated herein-above. No order as to cost.

Sd/-
(Sanjay K. Agrawal)
Judge