
(2012) 09 MP CK 0128

In the Madhya Pradesh High Court

Case No : Writ Petition No. 13926 of 2012

Lala Bhaiya Puspak

APPELLANT

Vs

State and Others

RESPONDENT

Date of Decision : 05-09-2012

Acts Referred:

Citation : (2012) 09 MP CK 0128

Hon'ble Judges : Rajendra Menon, J

Bench : Single Bench

Advocate : D.K. Tripathi, for the Appellant; Bohre, learned PL on advance notice for the respondents/State, for the Respondent

Judgement

Rajendra Menon, Judge

1. Petitioner is working as a Daily Wages Employee in the establishment of Nagar Panchayat Barigarh in District-Chhatarpur. It is the case of the petitioner that he has completed more than 20 years of service and his claim for regularization has not been considered. Even though, initially certain recommendations have been made for his regularization but as posts were not available, he was not granted regularization. It is stated that now two posts are available and, therefore, claim of the petitioner be considered for regularization. That apart, bringing to the notice of this Court certain directions issued in the case of similarly situated employee Kalindi Gupta in W.P. No. 267/2012(s) (Annexure-P11) and as regularization granted to the said employee, petitioner claims similar benefit.

2. Keeping in view the aforesaid grievance of the petitioner and considering the fact that the claim is to be considered in accordance with law, for the present without issuing notice to the respondents, this petition is disposed of with the following directions:

On the petitioner's filing a certified copy of this order along with relevant documents, the competent authority shall consider and decide the claim of the petitioner for regularization in accordance with circulars and policies formulated

by the State Government and the law laid down by the Constitution Bench in the case of Secretary, State of Karnataka and Others Vs. Umadevi and Others, and after taking note of the benefit granted to similarly situated employees, if any, benefit be granted to the petitioner also in accordance with law.

3. With the aforesaid, petition stands disposed of. Certified Copy as per rules.