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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 830 of 2026

- Kamlesh Kumar Barman S/o Shri Santosh Kumar Barman Aged About 36 Years R/o A.B. Type Colony, Near Dhondipara, Ward No. 15, Korba, Police Station - Korba, District - Korba Chhattisgarh

... Petitioner

versus

1. State Of Chhattisgarh Through - Secretary Forest And Climate Change Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District - Raipur Chhattisgarh
2. Principal Chief Conservator Of Forest And Head Of Forest Force Forest And Climate Change Department, Aranya Bhawan, Sector-19, Naya Raipur, Atal Nagar, District - Raipur Chhattisgarh
3. Chief Conservator Of Forest Bilaspur Circle, Forest And Climate Change Department, District - Bilaspur Chhattisgarh
4. Divisional Forest Officer Forest Division Korba, Forest And Climate Change Department, District - Korba Chhattisgarh
5. Deputy Divisional Forest Officer Sub Division South Korba, Forest And Climate Change Department, District - Korba Chhattisgarh

... Respondents

For Petitioner	:	Mr. Abhishek Singh, Advocate
For Respondent-State	:	Mr. Yashwant Singh Thakur, Addl. A.G.

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

27/01/2026

1. Petitioner has filed this writ petition seeking following reliefs.

> "10.1 The Hon'ble Court may kindly be pleased to call record in the case of petitioner.
>
> 10.2 The Hon'ble Court may kindly be pleased to direct Respondent Authorities to consider the case of Petitioner, regarding regularization on the post of Computer Operator in pursuance to circular dated 05/03/2008 & order of Hon'ble Supreme Court

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in case of Narendra Kumar Tiwari and others as well as passed in case of Jaggo Vs. Union of India.

10.3 The Hon'ble Court may kindly be pleased to directed Respondents to consider the case of Petitioner for regularization taking into account of seniority.

10.4 The Hon'ble Court may kindly be pleased to direct respondents to regularize the service from his juniors has been regularized."

2. Learned counsel for petitioner submits that the petitioner is appointed as Computer Operator on daily wage basis. Since, the initial engagement, petitioner is continuously working on the said post on daily wage basis and as of now petitioner has completed more than 11 years on daily wage basis. He further contended that in view of the aforementioned law laid down by the Hon'ble Supreme Court, petitioner is also entitled for his consideration for regularization on the post, on which, he is working since last more than about 11 years. He, however, submits that at this stage he may be permitted to submit a fresh representation before the authorities and authorities be directed to take decision on the representation expeditiously thereafter.

3. Learned State counsel submits that as petitioner is not pressing this writ petition on merits and only seeking permission to submit representation to be considered by authorities, he is having no objection to the limited prayer.

4. On due consideration of the submission of counsel for the parties, considering the nature of the claim as raised by the petitioner in this writ petition, he is continuously engaged as daily wage employee since 2014. Hon'ble Supreme Court in case of **Narendra Kumar Tiwari & Others Versus State of Jharkhand & Others** reported in **SCC (L&S) 2018 (2) 472** for considering the temporary/daily wages employees, who had completed 10 years of service for regularization. Further, Hon'ble Supreme Court in case of **Jaggo Versus Union of India** reported in **(2024) SCC Online SC 3826** has further observed that the government departments to lead by example in providing fair and stable employment. Engaging workers on a

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temporary basis for extended periods, especially when their roles are integral to the organization's functioning, not only contravenes international labour standards but also exposes the organization to legal challenges and undermines employee morale. Without entering into merit of the claim of the petitioner, this writ petition is disposed at this stage, permitting the petitioner to submit comprehensive representation before the respondents No. 2 to 4, and if, such a representation is submitted, the concerned authority shall consider and take decision on the representation in accordance with law expeditiously, preferably within a further period of four months from the date of receipt of representation.

5. Accordingly, this writ petition is disposed of with the aforesaid observation and direction.

Sd/-

(Parth Prateem Sahu)

JUDGE

pwn