



No. of Order	of Order	Order with Signature	Office Note as to action (if any) taken on Order
3.	29-8-2005	<p>Upon hearing Mr. D.B. Katwal, learned counsel for the petitioner as well as Mr. Karma Thinlay, learned Govt. Advocate for the State respondents and also on perusal of the available materials on record, we are of the view that this case can be disposed of at this stage and accordingly, it is hereby disposed of with the following short order.</p> <p>The grievance of the writ petitioner, Mrs. Radhika Devi Dhakal is that she had rendered her services as work-Charged employee/Revenue Supervisor under the respondent department for the last more than 11 years continuously and uninterruptedly as she joined her service on 2-4-1994 and that she has been rendering her services as on today without any adverse remarks but, the authority concerned did not regularise her services despite her requests and approaches to the authority concerned from time to time. It is also the case of the petitioner that the work-charged employees who were similarly situated with her, had been given regular</p>	

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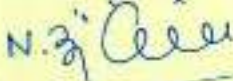
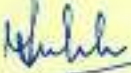
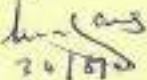
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		<p>appointment thus causing discrimination in the matter of appointment. Supporting her case, she had appended certain documents to her writ petition which are marked as Annexures P-I, P-II, P-III and P-IV.</p> <p>The factum of her continuous and long services of more than 11 years under the department concerned is not disputed by the respondents. However, Mr. Karma Thinlay, learned Govt. Advocate contended that the employees who were regularised were senior to her. In reply to the submission of Mr. Karma Thinlay, Mr. D.B. Katwal, learned counsel for the petitioner contended that even though the persons whose services were regularised were senior to the writ petitioner, the petitioner has acquired a right for consideration of regularisation of her services as she had rendered her services under the department concerned for more than 11 years. At this stage, we are of the view that the submission of</p> <p><i>N. J. Ques</i></p>	



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		<p>Mr. D.B. Katwal has legal force. In our considered view, under the service jurisprudence, the employee or employees who had rendered long and continuous years of services under any Govt. establishment, he or she acquires a right for consideration of regularisation of their services and, they cannot be thrown out from service whimsically by the appointing authority. Mr. Karma Thinlay, learned Govt. Advocate further contended that there are other employees also who are also similarly situated with the present writ petitioner.</p> <p>Be that as it may, it is well settled that if the employees rendered their services continuously and uninterruptedly for many years, the authority concerned is bound to consider their cases for regularisation. In the case in hand, the present petitioner Mrs. Radhika Devi Dhakal had already acquired a right for consideration of regularisation of her services as Revenue Supervisor under the department concerned as she had rendered long and continuous service of more than 11 years. According</p>	

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		<p>to us, the petitioner's long and continuous services cannot be ignored by the authority concerned as it has its value of service.</p> <p>In view of the above position, we have no alternative but to direct the authority concerned to consider the case of the petitioner for regularisation of the services of the petitioner preferably within six months from today, and communicate the result of it to the writ petitioner. It is also made clear that the services of the petitioner should not be disturbed by the authority concerned and apart from it, this Court hope and trust that certainly, the authority concerned shall regularise the services of the writ petitioner sympathetically taking into account of her long and continuous services of more than 11 years.</p> <p>For the reasons, observations and directions made above, the writ petition is finally disposed of but, no order as to costs.</p> <div style="text-align: right;"> (N. Sujamani Singh) Chief Justice (Acting)  (A.P. Subba) Judge</div>	<p>A copy of order forwarded to Deptt of Energy & Power on 30-8-25.  20/8/25</p>