

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

**Writ Petition No. 640 of 2006 (S/S)**

1. Harendra Kumar  
S/o Sri Kisan Ram  
R/o Village Nau Gaon, Tehsil Garur  
District Bageshwar.
2. Umesh Kumar S/o Sri Suresh Lal  
R/o Tehsil Premises Bageshwar  
District Bageshwar. ....Petitioner

**Versus**

1. State of Uttaranchal through Secretary  
Revenue, Uttaranchal Shashan, Dehradun.
2. Chief Revenue Commissioner  
Uttaranchal Shashan, Dehradun.  
Uttaranchal Shashan, Dehradun.
3. District Magistrate, Bageshwar.....Respondents.

Shri R.S. Rawat, Advocate, holding brief of Shri U.S. Kalakoti, learned counsel for the petitioners.

Shri Harendra Belwal, Learned Standing Counsel for the respondents.

**Hon'ble Prafulla C. Pant, J**

Learned counsel for the parties are present.

2. Heard.

3. The petitioner No. 1, who was engaged as Gardner and petitioner No.2, who was engaged as Sweeper (On contract basis), by the Revenue Department, have sought their regularization in service.

4. In view of the principle of law laid down in *Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01*, wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or regularised against the constitutional scheme of public employment, this Court is not

inclined to issue direction to regularize services of the petitioners as such, the petition is liable to be dismissed.

4. The writ petition is dismissed. Interim order dated 10.05.2006, stands hereby vacated. (All pending applications also stand disposed of).

**Dt. 30.11.2006**  
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**(Prafulla C. Pant, J.)**