

W.P. 449/05

(3)

IN THE STATE ADMINISTRATIVE TRIBUNAL AT JABALPUR

O.A. No. 2061 of 1991

Ramadhar Singh Thakur & Others

... Applicants.

- Versus -

State of M.P. & Others

... Respondents.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL'S
ACT, 1985

1. Particulars of the Applicants :

- 1- Ramadhar Singh Thakur S/o Shri Lakhan Singh Thakur
aged about 25 years,
resident of Village Ghogha,
Distt. Rajnandgaon, Rajnandgaon (MP).
- 2- Kumbh Lal Verma S/o Shri Dhanush Lal Verma
resident of C/o Ramadhar Singh Thakur
Village Ghogha, Rajnandgaon Distt. Rajnandgaon.
- 3- Mansaram Sahu
S/o Shri Hriday ram Sahu, R/o C/o Ramadhar Singh
Thakur, Village Ghogha
Distt. Rajnandgaon (MP).
- 4- Nain Kumar Verma
S/o Shri Hukumram Verma R/o -do-

2. Particulars of the Respondents :

- 1- State of Madhya Pradesh,
Through its Secretary, Ministry of
Public Health & Family Welfare Department,
Bhopal.
- 2- The Director,
Medical Services,
Bhopal (MP).
- 3- The Joint Director,
Medical Services, Raipur Division,
Raipur (MP).
- 4- The Chief Medical & Health Officer,
Rajnandgaon, Distt. Rajnandgaon (MP).



HIGH COURT OF CHHATTISGARH : BILASPUR

WRIT PETITION (S) NO.449 OF 2005

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PETITIONERS

Ramadhar Singh Thakur & Others

Versus

RESPONDENTS

State of Madhya Pradesh (now
Chhattisgarh) & Others

Single Bench : Hon'ble Shri Satish K. Agnihotri, J.

Present :- Shri Alok Dewangan, Advocate for the petitioners.

Shri P.K. Bhaduri, Panel Lawyer for the State.

ORDER (ORAL)

(Passed on this 31st day of March, 2011)

1. Heard learned counsel for the parties.
2. The petitioners were appointed in the month of February, 1991 at Collector's rate on daily wages. Thereafter, their services came to an by orders dated 11-7-1991 & 10-7-1991. It is indisputable that the appointment of the petitioners on daily wages was not in accordance with law and was de hors the constitutional scheme of employment.
3. Be that as it may, it is a trite law that a daily wager cannot claim regularization, continuance or reinstatement in service on the basis of appointment, which was temporary for a fixed period and also not in accordance with law and the same was *de hors* the constitutional scheme of employment. (See *Secretary, State of Karnataka and Others vs. Umadevi (3) and Others*¹, *Indian Drugs & Pharmaceuticals Ltd. v. Workmen, Indian Drugs & Pharmaceuticals Ltd.*², *Official Liquidator v. Dayanand and others*³ and *State of Punjab and Others v. Surjit Singh and Others*⁴).
4. Applying the well settled principles of law to the facts of the case on hand, the petition deserves to be and is accordingly dismissed. No order asto costs.

Gowri

Sd/-
Satish K. Agnihotri
Judge

¹ (2006) 4 SCC 1

² (2007) 1 SCC 408

³ (2008) 10 SCC 1

⁴ (2009) 9 SCC 514