

HIGH COURT OF MADHYA PRADESH**W. P. No. 7097/2018****Jabalpur; Dated 28/03/2018**

Shri Sanjay P. Verma, learned counsel for the petitioners.

Heard on admission.

The petitioners before this Court, who are presently posted as Meter Reader at District Narsinghpur, are seeking direction from the respondents not to discontinue their services on or after 2.11.2018.

The contention of the petitioner no. 1 is that he is employed on contractual basis, which is renewed from time to time and lastly his contract was renewed on 6.05.2017 for a period of one year and the same is going to expire on 4.05.2018. Similarly, contract of petitioner no. 2 was renewed on 30/12/2017 for a period of one year and the same is going to expire on 20/09/2018. Contract of petitioner no. 3 was renewed on 30/12/2017 and the same is going to expire on 2/11/2018. Contract of petitioner no. 4 was renewed on 29/11/2016 for a period of two years and the same is going to expire on 20/11/2018. Similarly, contract of petitioner no. 5 was renewed on 30/12/2017 and the same is going to expire on 2/11/2018. It is contended by the petitioners that they are entitled to be regularized on the said post and in similar circumstances the other employees whose contract had also expired, approached this Court and this Court in various writ petitions vide order dated 11.7.2016 has observed as under:

"Petitioners are directed to institute the proceedings before the Labour Court for the relief claimed in the

writ petitions as early as possible, not later than three months from today. If the said claims are made within the aforesaid period, the Labour Court shall be well advised to decide the said claim as early as possible preferably within a period of one year."

In pursuance of the aforesaid directions, the petitioners of those petitions have submitted their application before the Labour Court, which has been entertained and the stay has been granted by the Labour Court on 17.10.2016. It is further contended that presently the Presiding Officer of the Labour Court, Sagar is not available as the post is still vacant, and even if the petitioners submit an application for stay, the same would not be entertained due to non-availability of Presiding Officer of the Labour Court. In such circumstances, the petitioners have prayed that they may be allowed to submit an application for stay before the Labour Court and till the application is decided by the Labour Court after appointment, they may be allowed to continue on their post, since other persons are already working on their respective post on the basis of stay order granted by the Labour Court.

The prayer of the petitioners appears to be reasonable.

In the circumstances, without entering into the merit of the case, this petition is **disposed of** with a direction to the petitioners to submit an appropriate application before the Labour Court, Sagar within two weeks from today and if such an application is filed within the aforesaid period, the respondents shall allow the petitioners to work on their respective post till the petitioners'

application is decided by the Labour Court.

Certified copy as per rules.

**(Ms. Vandana Kasrekar)
Judge**

Vy/-

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