

IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA.

CWPs No. 4013 of 2012-B & 4064 of 2012-G.

Decided on: 12th June, 2012.

CWP No. 4013 of 2012-B.

Ram Singh son of Sh. Ram Singh, presently working as Forest Worker in Forest Range Koti, r/o village Pajauli, PO Satlai, Tehsil and Distt. Shimla, H.P.

Petitioner.

Versus

1. State of H.P. through Principal Secretary (Forest) to the Govt. of H.P. Shimla.
 2. Principal Chief Conservator of Forest, H.P. Shimla, HP.
 3. Divisional Forest Officer, Shimla Forest Division, Shimla, HP.
- Respondents.

CWP No. 4064 of 2012-G.

Bhim Singh s/o Sh. Bal Raj, presently working Forest Worker in Forest Range Koti, r/o village Moi Jubbar, PO Koti, Tehsil & Distt. Shimla, HP.

Petitioner.

Versus

1. State of H.P. through Principal Secretary (Forest) to the Govt. of H.P. Shimla.
 2. Principal Chief Conservator of Forest, H.P. Shimla, HP.
 3. Divisional Forest Officer, Shimla Forest Division, Shimla, HP.
- Respondents.

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The Hon'ble Mr. Justice Kurian Joseph, Chief Justice
The Hon'ble Mr. Justice Dharam Chand Chaudhary, Judge.

For the Petitioners : Mr. P.P. Chauhan, Advocate.

For the Respondents : Mr. R.K. Bawa, Advocate General,
with Mr. Ankush Dass Sood, Addl.
AG and Mr. J.K. Verma, Dy.
Advocate General.

Justice Kurian Joseph, C.J. (Oral)

The petitioners claim the benefit of the decision of the Supreme Court in ***Mool Raj Upadhyaya vs. State of H.P.***, 1994 Supp. (2) SCC 316 and claim work charge status on completion of ten years of daily waged service with 240 days per year. In any case, as rightly pointed out by the learned Deputy Advocate General, there cannot be work charge status prior to 1.1.1994. The claim for regularization will be considered only subject to the availability of vacancies. All these aspects, the petitioners pray, they may be permitted to bring to the notice of the third respondent. It is open to them to do so. In the event of the petitioners filing appropriate representation(s) furnishing their service particulars, the matter will be considered and appropriate action will be taken in accordance with law within four months from the date of production of a copy of this judgment along with the representation(s) by the petitioner concerned before the third respondent.

2. The writ petitions are disposed of, so also the pending applications, if any.

(Justice Kurian Joseph),
Chief Justice

12th June, 2012.
(tr)

(Justice Dharam Chand Chaudhary),
Judge.

