



Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
3.	23-8-2005	<p>Upon hearing Mr. N. Rai, learned counsel for the petitioner as well as Mr. S.P. Wangdi, learned Advocate General assisted by Mr. J.B. Pradhan and Mr. Karma Thinlay, learned Govt. Advocates for the State respondents, we are of the view that this matter can be disposed off at this stage considering the nature of the case and accordingly, this case is hereby disposed of with the following short order:-</p> <p>The grievance of the writ petitioner, Smt. Hari Maya Chhetri is that she had rendered her services as Peon/Muster Roll Messenger under AH & VS Department, Govt. of Sikkim for more than 21 years but her services have not been regularised by the authority concerned despite the absorption and regularisation of many incumbents who are juniors to her. Supporting her case, she had highlighted about the factum of regularization of Muster Roll workers who are juniors to her in paragraphs 8 and 9 of her writ petition which is self explanatory.</p>	



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		<p>It is not disputed that the petitioner had rendered her services continuously and uninterruptedly under the department concerned for the last more than 21 years. According to us, under the service jurisprudence, the person or persons who had rendered long and continuous years of services under any Govt. establishment, he or she acquires a right for consideration of regularization of their services and, they cannot be thrown out from services whimsically by the appointing authority. Mr. S.P. Wangdi, learned Advocate General in his usual frankness submitted that there are other employees also who are similarly situated with the present writ petitioner and certainly, the authority concerned will consider the case of the petitioner for regularisation of her services. It is well settled that if the employees rendered their services continuously and uninterruptedly for many years, the authority is bound to consider their cases for regularisation. In the case in hand, the petitioner had acquired a right</p>	



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for consideration of regularisation of her services as she had rendered long and continuous services of more than 21 years under the department concerned.

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 her services preferably within a period of six months from today, and communicate the result of it to the writ petitioner. It is also made clear that services of the petitioner should not be disturbed by the authority. This Court hope and trust that certainly the authority concerned shall regularise the services of the writ petitioner.

For the reasons and observations made above, this writ petition is finally disposed of but, no order as to costs.

N. S. Singh
(N. Surjamani Singh)
Chief Justice (Acting)

(A.P. Subba)
Judge