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Mr. Jatin Kaushal, Advocate for
Mr. Arvind Seth, Advocate for appellant(s)-HSVP.

Mr. Deepak Sonak, Advocate
for the respondent in LPA-582-2023, LPA-587-2020.

Mr. Rajinder Singh, Advocate for respondent
in LPA-562-2020.

Mr. Ajay Chaudhary, Advocate for respondents
in LPA-897 and 899 of 2022.

Mr. Garvit Mittal, Advocate for respondents
in LPA-2244-2024, LPA-530-2020,
LPA-487-2020 & LPA-525-2020

Mr. Raman B. Garg, Advocate
Mr. Mayank Garg, Advocate
for the respondent in LPA-466-2020.

Mr. Ankur Malik, Advocate & Mr. Y.P. Malik, Advocate
for respondents in LPA-190-2021 & LPA-873-2024

Mr. Narender K. Sharma, Advocate &
Mr. Shashank Sharma, Advocate
for respondent in LPA-650-2020.

Mr. Subhash Ahuja, Advocate for appellant
in LPA-840-2019.

Mr. Ashwani Gaur, Advocate
for the respondents in LPA-880-2020.

Mr. Manoj Chahal, Advocate for respondent.

Mr. Mahabir Singh Advocate and Mr. Virender Kumar, Advocate
for respondent No.1 in LPA-840-2019.

Mr. Jaspal Singh, Advocate for respondent
in LPA-852-2020

Mr. Rahul Rathore, Advocate for respondent
in LPA-714-2019.

Mr. Surinder Gaur, Advocate
for respondent in LPA-520-2022.

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Harsimran Singh Sethi, J. (Oral)

**CM-2669-LPA-2019; CM-485-LPA-2021;
CM-5349-LPA-2024; CM-591-LPA-2022;
CM-1280-LPA-2020, CM-2136-LPA-2024;**



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CM-2544-LPA-2020;CM-4372-LPA-2019

1. Present applications have been filed for condonation of delay in filing the respective appeals.
2. Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay in filing the respective appeals is condoned.

Main Case

3. In the present bunch of appeals, the challenge is to the impugned order passed in the respective writ petitions by the learned Single Judge of this Court.
4. Learned counsel for the parties agree that wherever a direction has been given by the learned Single judge in the impugned order(s) to consider the claim of the respondents-employees concerned qua the grant of benefit of regularization of their services at par with the juniors of the respondents and to pass an appropriate order, such orders will be passed by the appellants within a period 03 months from today.
5. Learned counsel for the parties further agree to the fact that wherever the direction has been given by the learned Single Judge of this Court vide impugned order(s) for regularization of the services of the respondents-employees, the same be modified to the extent that the consideration for regularization of services be given under the relevant policies, under which, either the claim of the employee concerned or his/her similarly situated employee or junior who has already been regularized by the appellants in service is covered.
6. Learned State counsel submits that the same issue had already



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been come up for consideration before the Coordinate Bench of this Court *in LPA-1810-2025 titled as Aas Mohammad and others vs. State of Haryana and others decided on 23.04.2026* wherein, a time period of 06 months has been granted by the Court for considering the claim of the employees for regularization of the services as the record of such employees will be voluminous and the old record was needed to be verified hence, rather than granting the time period of 03 months as granted by learned Single Judge, time period of six months may kindly be granted for doing the needful.

7. Learned State counsel further submits that the record of each of the respondent-employee will be verified by the appellants and keeping in view the terms and conditions of the regularization policies of the years starting from 1996 to the year such policies were issued till 2014, the claim of the respondents-employees will be considered for regularization in whichever policy they will be found entitled for the grant of benefit of regularization and the same would be extended to the respondents.

8. Learned State counsel submits that while considering the claim of the respondents-employees, the averment made qua the grant of benefit to the similarly situated employees or juniors of the respondent-employees, would be taken into consideration and would be kept in mind. In case, the same is found to be true, the benefit will be granted to the respondents from the same dates, the junior employee or similarly situated employee to the respondents-employees has been granted the benefit of regularization.

9. It may be noticed that keeping in view the fact that learned Advocate General, Haryana had given a statement in the case of *Aas*



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Mohammad (supra) before the Coordinate Bench of this Court, the State of Haryana will be bound by the same even in the present appeals as well.

10. Keeping in view the above, an appropriate order qua the claim of each respondents-employees for regularization of their services at par with the similarly situated employees or juniors be passed within a period of 06 months from today. In case, the respondents-employees are found to be entitled for the grant of benefit of regularization of their services either being covered in any of the regularization policy starting from the year 1996 till the year 2014, the same will be extended to them. The respondent-employees will only be entitled for the benefit of regularization on notional basis till order of regularization is passed in case, any of the similarly situated employee or junior employee has already been granted the said benefit and such benefit will be given from the same date as the said similarly situated employee or junior employee has been granted the said benefit but on notional basis only.

11. Further, in pursuance of the objection being raised qua the illegal termination of the respondents wherein respondents were again reinstated on such post, it may be noticed that in case, such termination has been set aside with continuing, such employee will be treated eligible to be considered for regularization by treating such employee as continuous in service.

12. Further, with regard to contention raised that respondents-employees do not possess the educational qualification qua the post on which they are working and are seeking benefit of regularization, the judgment of the Hon'ble Supreme Court of India in ***Dharam Singh and***



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others Vs. State of U.P. and another, 2025 SCC On-Line SC 1735, will be kept in mind wherein, the Hon'ble Supreme Court of India went a step ahead even with regard to reject the objection being taken by the employer qua the qualification possess as well as the non-availability of the regular post.

13. The direction issued by the Hon'ble Supreme Court in aforesaid background makes it abundantly clear that such objections stand overruled and accordingly direction is issued to the employer to treat the employee who has continued to serve for more than 10 years of service, as entitled for regularization. Even otherwise, it may be noticed that once, an employee has worked for more than two and half decades, it becomes the duty of the employer to create regular post rather than to deny such benefit to be given to such employee on the said account. This kind of attitude has already been depreciated by the Hon'ble Supreme Court of India.

14. Further with regard to the contention raised by the appellant regarding qualifications of the respondents, keeping in view the experience gained on such post and there being no blot that the work on such post suffered due to lack of such qualification of the respondents, such objection would not be considered especially when, the appellants themselves have allowed such employee to continue for more than two and a half decades on such post and such experience gain will compensate the qualification.

15. At this stage, learned counsel for the respondents-employees submits that in case, the benefit of regularization is to be granted to the respondents-employees, the judgment in *CWP-2371-2010 titled as Harbans Singh vs. State of Punjab, decided on 31.08.2010* be also kept in mind

which judgment has already been upheld by the Hon'ble Supreme Court of



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India to hold that any employee who was in service with the Government of Haryana prior to 01.01.2006 but his/her services have been regularized thereafter, he/she will be treated under the Old Pension Scheme. The said judgment should also be kept in mind to decide whether the respondents-employees will be treated under Old Pension Scheme or New Contributory Pension Scheme.

16. It may be noticed that in case, the services of any of the respondents-employee has already been regularized by the appellants and there is no challenge, no further consideration will be given to such employee as the present order is only being passed qua the employees whose services are yet to be regularized under the policies issued by the State of Haryana starting from the year 1996 to till 2014.

17. Present appeals are disposed of in above terms.

18. Civil miscellaneous application pending, if any, is also disposed of.

19. A photocopy of this order be placed on the file of connected cases.

**(HARSIMRAN SINGH SETHI)
JUDGE**

**(AMARINDER SINGH GREWAL)
JUDGE**

July 15, 2026

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Whether speaking/reasoned : Yes

Whether reportable : No