

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P No. 15784 of 2010 (O&M)
Date of decision : May 25, 2015

Surinder Kumar,

..... Petitioner

v.

State of Haryana and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sansar Kundu, Advocate
for the petitioner.

Mr. Sachin Gupta, Advocate
for respondent No.3.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

By way of this writ petition, the petitioner has claimed regularization of his service. The admitted facts are that owing to strike of Safai Karamcharis in 1997, the petitioner and other persons were appointed by the Deputy Commissioner on daily wage basis. The claim of the petitioner is that despite the lapse of 18 years, his services have not been regularized.

In the reply, it has not been denied that the petitioner is working on daily wage basis. However, details have been given upto the year 2005

that he was a habitual absentee and for this reason, his services could not be regularized upto that time. However, there is no reference to any act of misconduct or absence of the petitioner after 2005.

In the circumstances, it has to be held that after 2005, services of the petitioner were not marred in any manner. It is in the context of this fact that the claim of the petitioner has to be considered.

Counsel for the petitioner has argued that in the year 2011 also, the State of Haryana had framed a regularization policy and that the petitioner would be satisfied if his claim is considered as per that policy.

Counsel for respondent No.3 is not in a position to counter this argument.

No other argument has been raised.

In the circumstances, this writ petition is disposed of with a direction to respondent No.3 to decide the claim of the petitioner for regularization under the extant policy/ies within two months from the receipt of a certified copy of this order, and in case he is found entitled to any relief, grant the same to him within one month thereafter.

May 25, 2015
'kk'

(AJAY TEWARI)
JUDGE