

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

C.W.P. No.11779 of 2014

Date of Decision : 07.05.2015

Inderjit Singh and others

..... Petitioners

Versus

The State of Punjab and Another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Mohit Malik, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

1. Whether Reporters of local papers 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 this petition the petitioners are seeking direction to the respondents to regularize the services of the petitioners on clerical posts on which they are working on adhoc basis.

Learned Additional Advocate General states that respondent No.1 is not a necessary party and therefore she does not wish to file reply.

Allowed as prayed for.

The claim of the petitioners is that they were all appointed pursuant to advertisement (Annexure P-2) on ad-hoc basis and are entitled to be regularized. The advertisement (Annexure P-2) itself clarifies that

these appointments were on ad-hoc basis for a period of six months or till such time as regular appointments were made, whichever is earlier. Thereafter, regular appointments were made on some of the posts and the services of those petitioners were relieved about a year ago.

Today, I put it to the learned counsel how the policy (Annexure P-1) is applicable to those persons who have less than 2 years service; where the appointment was made by the authority not competent to make regular appointment; where the advertisement has specifically mentioned that they would be appointed on adhoc posts till such time as regular appointments were made; where their services were terminated only because regular selected candidates have been appointed. Learned counsel for the petitioners has very fairly accepted that those of the petitioners who were appointed only in the year 2012 can not be entitled to any relief but as per him there are some employees who had continued to work for the last 5 years also and prays that he may be permitted to withdraw this writ petition with liberty to file fresh one on behalf of those employees who had worked as per him for more than 5 years.

In my opinion, all the persons having been appointed pursuant to Annexure P-2 can not make any claim for regular appointment and consequently this writ petition has to be dismissed for this reason. However, learned counsel for the petitioners has argued that there are some more persons who have continued for more than 5 years and prays for permission to file fresh writ petition on their behalf. Though once all the petitioners were appointed pursuant to Annexure P-2 it is debatable whether

any previous appointment would enure to their benefit. However, at the insistence of the learned counsel for the petitioners, he is allowed to file fresh writ petition on behalf of those persons who may have been in service for more than 5 years as claimed by him.

Dismissed as withdrawn with the aforesaid liberty.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

May 07, 2015

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**(AJAY TEWARI)
JUDGE**