

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

CWP no. 17801 of 2013(O&M)

Date of Decision : 15.12.2015

Salra

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

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?

Present : Mr.Surinder Gaur, Advocate for the petitioner

Mr. Hitesh Pandit, Addl. AG, Haryana

MAHESH GROVER, J.

The petitioner is working as a Sweeper on part time basis uninterruptedly. She prays for regularization which is denied to her on the ground that the policy does not envisage regularization in the absence of any sanctioned post in the relevant cadre.

Annexure P-7 has been passed on this reasoning to deny the petitioner the benefit which is claimed by her in the instant petition. The fact of her working since 1982 is not denied.

On due consideration of the matter, I am of the opinion that the matter is squarely covered by the ratio of decision of this Court rendered in case

titled as Surjit Kaur vs. State of Punjab and others reported as 2015(5) SLR 149 where this Court has observed that this is an unfair practice indulged in by the State. If the service of the employee can be utilized for more than 3 decades, it would be a travesty of justice to accept the reasoning of non-availability of a sanctioned post. Therefore, in view of the observations made in Surjit Kaur's case (supra) the instant petition is accepted and the impugned order (Annexure P-7) is hereby set aside. The respondents are directed to consider the case of the petitioner for regularization. Let needful be done as expeditiously as possible but not later than 4 months from the date of receipt of the certified copy of this order.

December 15, 2015
rekha

(MAHESH GROVER)
JUDGE