

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.20083 of 2013
Date of Decision: May 07, 2015

Ram Chander

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Sandeep Singal, Advocate,
for the petitioner.

Mr.Hitesh Pandit, Addl.A.G.Haryana,
for the State.

AMIT RAWAL, J. (Oral)

The challenge in the present writ petition is to the action of the respondents in not regularising the services of the petitioner against the suitable Group-D post along with consequential benefits.

Mr.Sandeep Singal, learned counsel appearing for the petitioner submits that the petitioner was appointed in July, 1988 as a Mali, but, however the respondents illegally terminated his services on 1.12.1996 and as a result thereof, he raised a demand notice and on reference, the Labour Court, vide Annexure P-1 dated 25.7.2003 answered the reference in his favour and ordered the petitioner to be reinstated with continuity of service and 30% back wages. He submits that respondent No.4, who has since

expired, was appointed as Mali in February, 1990 and on the basis of the judgment dated 10.2.2012 passed in Civil Writ Petition No.1169 of 2009 (Ved Pal & others Versus State of Haryana & others), his services have been regularised, thus, the petitioner has been discriminated.

Mr.Hitesh Pandit, learned Addl.A.G.Haryana, appearing for the State submits that there is a categoric stand of the respondents that the services of respondent No.4-Satbir Singh were regularised on the basis of the judgment of this Court. Be that as it may, the fact remains that the petitioner was appointed in July, 1988, whereas respondent No.4 was appointed in February, 1990 and despite that, the services of the petitioner have not been regularised. This action of the respondents is, thus, not only discriminatory but fallacious.

In view of what has been observed above, the respondents are directed to regularise the services of the petitioner with effect from the date his junior has been regularised and the petitioner shall also be entitled to all the consequential benefits, if any. This exercise of regularising the services of the petitioner shall be undertaken within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands allowed.

May 07, 2015
ramesh

(AMIT RAWAL)
JUDGE