

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

**CWP No. 24279 of 2012
Date of Decision: May 5, 2015**

Rajesh Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. D. S. Patwalia, Senior Advocate with
Mr. Kannan Malik, Advocate
for the petitioner.

Mr. Keshav Gupta, AAG., Haryana.

Amit Rawal, J (Oral)

The petitioner has approached this Court for direction to the respondents for treating him as a regular employee despite the fact that the petitioner has been granted continuity of service w.e.f.15.1.1997 vide Annexure P-5 dated 19.5.2006.

Learned Senior counsel appearing on behalf of the petitioner submits that despite the petitioner having been granted continuity of service in pursuance to the order dated 7.3.2006 in CWP No. 3695 of 2006 and as well as order dated 24.3.2005 in CWP No. 4820 of 2005 the respondents have not regularized the services of the petitioner.

Mr. Keshav Gupta, AAG., Haryana states that the petitioner was not in service at the time when the regularization policy dated 1.10.2003 was promulgated as he had not completed

three years of continuous and satisfactory service on 30.9.2003.

Since vide Annexure P-5 the respondents have granted the benefit of continuity of service to the petitioner w.e.f. 15.1.1997 the stand taken by the respondents in the written statement is wholly fallacious and repugnant.

In view of the fact that the petitioner has been granted continuity of service, the plea that the petitioner has not rendered continuous service of three years could not come in the way of treating the petitioner as a regular employee.

In view of the above, it is expected that the respondent-State shall pass the orders by treating the petitioner as regular employee within a period of two months from the date of receipt of copy of this order and benefits, if any, shall also be released within a further period of two months.

With the aforementioned observations the writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

May 5, 2015
archana