HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 20445 of 2015
Date of decision: September 24,2015

Heetendra Kr. Arun ...Petitioner

Versus

State of Haryana and ors.
...Respondents

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU
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Present: - Mr. Ashok K. Sharma Bhana, Advocate
for the petitioner.
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HARINDER SINGH SIDHU, J.

In the year, 2010, the petitioner was engaged as a Data Entry Operator on contract basis in Haryana Vidyut Prasaran Nigam Limited, Panchkula,-respondent No.2 alongwith many others.

Vide order dated 25.08.2014(Annexure P-14) the petitioner alongwith 37 other similar situated employees was considered for regularization on the post of Lower Division Clerk (LDC) against sanctioned vacant posts. One of the conditions stipulated in the regularization policy dated 28.07.2014(Annexure P-13) was that the break in service of an employee/worker will be condoned only upto a period of 30 days in a year provided that the same is not due to the fault of the employee like abandonment of employment.

The case of the petitioner is that he had met with an accident on 23.06.2012 and remained hospitalized from 24.06.2012 to 08.08.2012. The petitioner's case for

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regularization has been withheld on account of his absence during the said period, treating as it was break in service.

Learned counsel refers to the noting (Annexure P-17), whereby, the case of the petitioner for regularization was examined and it was noted that in the opinion of the office the absence of the petitioner due to medical reasons could not be treated as break in service because the absence on medical reasons is certainly a case of circumstances beyond control of the petitioner.

Based on this noting, the case of the petitioner for regularization was submitted for approval of the Managing Director, HVPNL.

Learned counsel for the petitioner states that despite the aforesaid recommendation and repeated representations having been submitted by the petitioner, no decision regarding regularization of the petitioner has been taken so far.

He states that at this stage, he would be satisfied if a direction is issued to respondent No.2 to take a decision on the representation dated 25.09.2014(Annexure P-16) in the light of the recommendation Annexure P-17.

Accordingly, without commenting on the merits of the case, the present writ petition is disposed of with a direction to respondent No.2 to look into the grievance of the petitioner and to take decision on his claim as contained in representation dated 25.09.2014 (Annexure 16) in the light of the opinion of the office (Annexure P-17),

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expeditiously, preferably, within a period of three months from the date of receipt of a certified copy of this order.

(Harinder Singh Sidhu)
Judge

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