

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

CM-4030-2015 &
CWP No.24064 of 2013
Date of decision: 09.04.2015

Raghubir Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. SL Chander Shekhar, Advocate,
for the petitioners.
Mr. Anshul Gupta, Asst. AG, 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?

ARUN PALLI J. (Oral)

Matter was adjourned *sine die* to await the decision of the Hon'ble Supreme Court in SLP No.17050 of 2013, titled Navinder Singh and others v. State of Punjab and others, which has since been decided on 11.03.2015. The operative part of the said decision reads as thus:

“In view of the discussion made above, no relief can be granted to the appellants either regularization of services or grant of regular appointments hence no interference is called for against the judgments passed by the Himachal Pradesh, Punjab and Delhi High Courts. However, taking into consideration the fact that Home Guards are used during the emergency and for other purposes and at the time of their duty they are empowered with the power of police personnel, we are of the view that the State Government should pay them the

duty allowance at such rates, total of which 30 days (a month) comes to minimum of the pay which the police personnel of State are entitled. It is expected that the State Governments shall pass appropriate orders in terms of aforesaid observation on any early date preferably within three months.

The appeals are disposed of with the aforesaid observation. No costs.”

Concededly, in the wake of the decision of the Hon'ble Supreme Court, petitioners are neither entitled to regularization of their services nor for granting regular appointment. As regards the observation that the State Government should pay Home Guards the duty allowance at such rates, total of which 30 days (a month) comes to minimum of the pay which a police personnel of the State is entitled to, in an affidavit dated 09.04.2015, filed by the Deputy Commandant General, Home Guards & Deputy Director, Civil Defence, Punjab, Chandigarh, today in court, it is maintained that the matter is under consideration of the Government. And after soliciting legal opinion the same shall be decided at an early date.

That being so, learned counsel for the petitioners does not press this petition any further and the same is dismissed as not pressed.

April 9, 2015
Rajan

(Arun Palli)
Judge