

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.3807 of 2015 (O&M)
Date of decision: 03.03.2015

Gurmail Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. P.P.S.Tung, Advocate
for the petitioner.

AMIT RAWAL J. (ORAL)

The present writ petition has been filed for implementation of the order dated 07.03.2005 (Annexure-P/1), whereby, services of the petitioner were regularized. Operative part of the order is extracted herein below:-

"In pursuance to the Memo No.21/58/2003-5 Edu. V/7300 dated Shri/ Smt. Gurmail Kaur Part Time Sweeper Govt, Primary School Faridkot Kotli (Sangat) Distt. Bathinda who has working as part time sweeper has been considered by the Screening Committee constituted by the Director of Public Instructions (E.E.) Punjab Chandigarh vide their office order No.16/35-97 SP(2)

Dated 03.05.99 for the purpose in accordance with policy for the regularization of the services of the part time worker formulated vide Punjab Government Circular No.11/15/98-4 PP-3/280 dated 04.03.1999 and keeping in view the decision of the Hon'ble Punjab and Haryana High Court in CWP No.12199 titled as Sukhdev Kaur vs. State Punjab decided on 23.09.2002 it has been found that the said works does fulfill the following conditions as down in the policy circular dated 04.03.1999 read with memo dated 23.4.2004.

For the post of Sweeper

According to the Screening Committee the case of the above said worker covers under the policy for the regularization of part time class-IV workers, therefore, the same is eligible for regularization of his/her services.”

Notice of motion.

At the asking of the Court, Mr. Rajesh Mehta, Additional Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents-State.

It has been contended that despite passing of the regularization order, petitioner is still working as a part time Sweeper and her services have not been regularized.

Be that as it may, the fact remains that order dated 7.3.2005 has been passed by respondent No.3 and the services of

the petitioner had been regularized by respondent No.3, vide order dated 07.03.2005, yet that order has not been implemented despite numerous representations in this regard have been submitted.

The present writ petition is disposed of with a direction to respondent No.3 to implement the order dated 07.03.2005 within a period of one month from the receipt of a certified copy of this order.

It is expected that order shall be implemented diligently and effectively. Liberty is granted to the respondents to seek modification of the order, in case, the averments made in the writ petition are based on some falsehood.

(AMIT RAWAL)
JUDGE

March 03, 2015
savita