

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

CWP No.8339 of 2015
Date of decision: 01.05.2015

Pritam Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Varinder Shukla, Advocate, for the petitioner.

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)

Writ in the nature of mandamus is prayed for so as to direct the respondents to consider and regularize the services of the petitioner in terms of the Punjab Government policy dated 18.03.2011 (Annexure P5) and instructions dated 17.11.2011 (Annexure P6), with all consequential benefits.

Pursuant to the selection of the petitioner, he was appointed as Patwari vide appointment letter dated 23.01.2009 (Annexure P3) and since then, he is in continuous service of the department. There exists only one sanctioned post of Patwari in Panchayat Samiti Moga-1 against which the petitioner is serving since 04.02.2009, as evident from the letter dated 20.07.2012 (Annexure P4). No other employee is working as Patwari in Panchayat Samiti Moga-1 except the petitioner. Government of Punjab vide policy dated

18.03.2011 (Annexure P5) sought to regularize the services of contractual employees w.e.f. 01.04.2011, who were working against sanctioned posts and had completed three years of service on contract basis as on 01.04.2011. Or on completion of their three years service on contract basis whichever is later. Petitioner purports to be fully eligible to be considered for regularization, as his appointment was made in sync with the regular procedure and against the sanctioned post that was lying vacant at the relevant time. That being so, petitioner represented to respondent No.2, vide representation dated 25.01.2013 (Annexure P7), seeking regularization of his services in view of the policy dated 18.03.2011 (Annexure P5). Respondent No.3 forwarded the claim of the petitioner to respondent No.2 for regularization of his services vide letter dated 21.05.2013 (Annexure P8) and even a resolution dated 23.10.2013 (Annexure P9) as regards the regularization of services of the petitioner was also passed by respondent No.3. However, despite that being so the claim of the petitioner continues to be pending consideration with no tangible result in sight.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of with a direction to respondent No.2, to consider and decide his representation dated 25.01.2013 (Annexure P7) in the wake of the

recommendations dated 21.05.2013 (Annexure P8) and 23.10.2013 (Annexure P9) within a specified time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.2, to consider and decide the claim of the petitioner, as set out in his representation dated 25.01.2013 (Annexure P7), strictly in accordance with law, within a period of 3 months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

May 1, 2015
Rajan

(Arun Palli)
Judge