

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

LPA No.1072 of 2015

Date of decision:22.9.2015

Haryana Power Generation Corporation Limited and others

....Appellants

VERSUS

Rajeev Khanna and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. Sourabh Goel, Advocate for the appellants.

HEMANT GUPTA, J.(Oral)

The present Letters Patent Appeal under clause X of the Letters Patent is directed against an order passed by learned Single Bench of this Court on 13.10.2014 whereby the writ petitioners have been directed to be regularized w.e.f. 05.09.1991 in terms of earlier order in CWP No.15262 of 2010.

We have heard learned counsel for the appellant and find no merit in the present appeal. As per the appellants, the writ petitioner Nos.1, 3, 4 and 7 were regularized for appointment in the year 1986 whereas, as per the direction of the learned Single Bench, the said writ petitioners have been granted the benefit of regularization from the year 1991. In view of the said fact, we do not find that that appellants can have

any grievance in respect of regularization of writ petitioner Nos.1,3, 4 and 7.

In respect of writ petitioners No.2, 5 and 6, the argument of learned counsel for the appellants is that such writ petitioners were found meritorious by the Screening Committee but were not regularized for the reason that a First Information Report (for short 'FIR') was pending enquiry against them. The said writ petitioners stand regularized in the year 1992 after the writ petitioners were exonerated in the criminal proceedings when they were discharged.

We do not find any merit in the said argument. Since the said writ petitioners were discharged, therefore, their date of regularization cannot be postponed after the date of discharge. Once they were found suitable by the Screening Committee, therefore, regularization would stand deferred but after discharge, they will be entitled to regularization from the date their junior was regularized.

In view of the said fact, we do not find any merit in the present appeal.

Dismissed.

(HEMANT GUPTA)
JUDGE

SEPTEMBER 22, 2015
'D. Gulati'

(RAJ RAHUL GARG)
JUDGE