

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11667 of 1994

Date of Decision: 16.03.2016

Lakhan Singh

... Petitioner

Versus

The Punjab State Warehousing Corporation
and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sanjay Tangri, Advocate,
for the petitioner.

Mr. Mohinder Pal Singh, Advocate,
for respondent No.1.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

This Court passed the following interim order on February 03,
2016:-

“Learned counsel for the petitioner points out to the 2002 regulations prescribing conditions of service for Group-C and Group-D employees. He draws attention to entry 24 in Appendix 'A' which refers to the single post of Lift Operator in the pay-scale of Rs.3120-5160. The method of recruitment on the post of Lift Operator is prescribed at Sr. No.25 of Appendix 'B' to the rules. The appointing authority is the Managing Director; the post is to be filled 100% by promotion from amongst Class-IV employees having sufficient experience of operating lift. It is beyond a shadow of doubt that the petitioner was deputed to work as a Lift Operator in his own pay scale and he was promised that on successful completion of training his case for regular appointment as a Lift Operator would be

considered (P-3). The petitioner completed his training successfully in OTIS as certified by the SDO (E) in his letter to the MD that the petitioner had successfully completed training and was “very successfully doing his job for the last about 4 months ...”. He claims regularization from the date he was deputed in 1992 as a Lift Operator and in view of the legitimate expectation he stakes claim to appointment as a regular Lift Operator under the 2002 Rules.

*Mr. Mohinder Pal Singh, learned counsel appearing for R-1 prays for time to obtain instructions as to the legal effect of the above and whether regularization can be accorded in terms of the first prevailing scheme of regularization adopted or created by the Corporation since 1992 or to pay the arrears of difference of salary between the post of Helper and Lift Operator on the principles of quantum meruit with reference to the Supreme Court decision in **Mrs. P. Grover v. State of Haryana and others**, 1983 (4) SCC 291.*

List on 24.02.2016.”

The next interim order was passed on February 24, 2016 which has paved the way to the office order dated March 15, 2016 passed by the Managing Director of the Punjab Punjab State Warehousing Corporation. Through the good offices of Mr. Mohinder Pal Singh, learned counsel appearing for the Corporation the parties have resolved their disputes in an amicable manner the terms of which are contained in the office order dated March 15, 2016 which is retained on record as Mark 'A'. The petitioner has consented to abide by the terms of the office order through which he will be paid an allowance @Rs.200/- per month for the period from 15.12.1992 to 31.08.1994 and from 19.11.1999 to 20.05.2002, for operating the Lift in addition to his own duties as Helper.

Besides, he has been allowed promotion to the post of Lift Operator w.e.f. March 01, 2005 in the pay scale of Rs.3120-5160

(un-revised).

This renders the writ petition infructuous.

Disposed of as such.

(RAJIV NARAIN RAINA)
JUDGE

16.03.2016
manju