

CWP No.18362 of 2006(O&M)

KUMAR MANOJ
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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No.18362 of 2006 (O&M)

Date of Order: 01.02.2016

Surinder Kaur and Ors.

....Petitioners

Versus

State of Punjab and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Gurbachan Singh, Advocate for the petitioners.

Mr. Anshul Gupta, AAG, Punjab.

G.S. SANDHAWALIA,J (ORAL)

C.M.No.4821 of 2012

Civil Miscellaneous is disposed of with the consent of counsel for both the parties and the main petition is taken up for hearing today itself.

CWP No.18362 of 2006

Petitioners, who are 133 in number, seek quashing of the orders whereby their services were not regularized and, therefore, pray for regularization.

Admittedly, the petitioners were working as part time Sweepers in various Government Schools in the districts of State of Punjab under different District Education Officers, who have been impleaded as respondent Nos.4 to 14. The districts in question are Patiala, Ludhiana, Ropar, Fatehgarh Sahib and Sangrur.

In counter reply now filed, it has been submitted that in the drive of regularization, 45 of the petitioners have been regularized so far. The status with regard to regularization of services of each of the petitioners along with their seniority position in their concerned districts and the reasons for not accepting their claim has been indicated. A perusal of status report (Annexure R.1) would further show that a large number of workers have not been given benefit on account of the fact that district-wise seniority from the Districts has not come so far in their favour. For example in Patiala district, it has been shown that seniority has reached at serial No.119 whereas writ petitioner No.2 having been shown at Sr.No.56 stands regularized whereas others who are beyond Sr.No.119, have not been granted the said benefit. Similarly in Mohali district, the persons mentioned beyond Serial No.9 has not been regularized and that some of the petitioners have died. It is further stated that the services of the person mentioned at Sr.No.11 has been regularized vide order dated 19.11.2012 (on account of 8th pass).

After hearing learned counsel for the parties and taking into account the facts and circumstances of the present case, this Court is of the opinion that the District Education Officers/respondent Nos.4 to 14 shall pass specific orders in the cases of the petitioners, whose cases have been rejected for the purposes of regularization and communicate the same to them. This would enable the petitioners to challenge the said orders in accordance with law by showing to this Court that they have

CWP No.18362 of 2006(O&M)

#3#

been wrongly ignored and similarly situated persons have been granted the benefit accordingly.

Necessary exercise be effected within a period of two months from the receipt of certified copy of this order.

Disposed of.

February 01, 2016
manoj

(G.S. SANDHAWALIA)
JUDGE