

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

1. **Date of decision : 11.04.2016**
C.W.P No. 20758 of 2010 (O&M)
- Kuldeep Singh and others** ...Petitioners
versus
Union of India and others ...Respondents
2. **C.W.P No. 6882 of 2014 (O&M)**
- Subhash Chand** ...Petitioner
versus
Union of India and others ...Respondents
3. **C.W.P No. 4549 of 2015 (O&M)**
- Kamlesh Kumari** ...Petitioner
versus
Union of India and others ...Respondents
4. **C.W.P. No. 24158 of 2015 (O&M)**
- Hisham Singh** ...Petitioner
versus
Union of India and others ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Arjun Pratap Atma Ram, Advocate
for the petitioner(s) (in CWP Nos.20758 of 2010 & 4549 of 2015).

Mr. Saurabh Arora, Advocate,
for the petitioner (in CWP No.6882 of 2014).

Mr. Anil Shukla, Advocate,
for the petitioner (in CWP No.24158 of 2015).

Mr. Vikas Chatrath, Advocate,
for respondent No.4.

Mr. Gaurav Chopra, Advocate,
for respondent Nos. 5 and 6.

RITU BAHRI , J. (Oral)

This order shall dispose of CWP Nos.20758 of 2010, 6882 of 2014, 4549 of 2015 and 24158 of 2015 as common questions of law and facts are involved in all the petitions. For reference, facts are taken from CWP No.20758 of 2010.

The petitioners have approached this Court seeking direction to the respondents to regularize their services and fix their pay at par with the regular employees.

During the pendency of this petition, Mr. Arjun Partap Atma Ram, Advocate, has placed on record copy of order dated 09.02.2016 (Annexure P-7) passed by the District & Sessions Judge, Chandigarh, whereby, candidates mentioned at serial Nos. 5, 7, 8, 9, 10, 12, 13, 14, 15, 16 and 17 namely S/Sh. Subhash Chand, Raovarinder Singh, Palwinder Singh, Sanjay Kumar, Amarjeet Singh, Gurmeet Singh, Raj Kumar, Sovan, Balbir Singh, Lakhwinder Singh and Sher Singh, who have fulfilled the qualifications, have been regularized and they would be on probation for a period of one year, which can be extended for a period of another 2 years.

As far as Process Servers mentioned at Serial Nos. 1, 2, 3, 4, 6 and 11 namely S/Sh. Kumar Pal, Kuldeep Singh, Deepak Kumar, Hisham Singh, Harjeet Singh and Kamlesh Kumari are concerned, they were not regularized as they were overage and under matric. As regards petitioner Nos. 8 and 9 (in CWP No..20758 of 2010) namely S/Sh. Roshan Singh and Gurdeep Singh, they are working as Naib Nazir (Tameel) on contract basis. The Post of Naib Nazir (Tameel) is of the cadre of Clerk (Class-III).

Mr. Chopra, learned counsel for respondents Nos. 5 and 6 has informed that aforesaid Roshan Singh had appeared in the written

examination and cleared the same and now he has been regularized as Clerk. The other candidate namely, Gurdeep Singh did not participate in the written test as he was overage at the time of initial appointment. But, he is still continuing on contract basis.

At this stage, counsel for the petitioner(s) seek to withdraw all these petitions with liberty to challenge the order(s), whereby claim of petitioners for regularization of their services has been rejected on account of being overage, not qualified or any other ground.

Dismissed as withdrawn with liberty aforesaid.

In the meantime, the respondents will not terminate the services of the petitioner(s) for a period of four weeks from today.

(RITU BAHRI)
JUDGE

11.04.2016
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