

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10083 of 2016
Date of Decision:- 20.5.2016.

Shashi Pal and others

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

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?

Present: Mr. Thakur Ashwani Verma, Advocate for the petitioner.

P.B. BAJANTHRI, J.

1.) The petitioners are working on daily wage basis/casual labourers on 1/30th of the minimum of the relevant pay scale. Their grievance before the Central Government Industrial Tribunal-cum-Labour Court-II, Chandigarh (for short 'the CGIT') is relating to regularization of their services. Pendency of the litigation relates to regularization before the CGIT, process of recruitment to the post of Multi Task Service of about 1365 vacant posts is issued vide communication dated 17.6.2015. On the apprehension that if the above mentioned recruitment process is completed, services of the petitioners would be affected and their claim for regularization would be redundant. The petitioners moved a miscellaneous application before the CGIT seeking for stalling the recruitment process of filling up of 1365 vacant posts. Miscellaneous application was rejected by

the CGIT on 18.3.2016. Aggrieved by the order dated 18.3.2016 passed in miscellaneous application by the CGIT, the present petition has been filed.

2.) The petitioners are casual workers. They cannot stall recruitment process of 1365 vacant posts of Multi Task Service in the guise of regularization of their services. The petitioners have no legal right to question the process of recruitment. Therefore, they have not made a case so as to interfere with the order passed by the CGIT on 18.3.2016 in a Miscellaneous Application.

3.) This order will not come in the way of participating in the process of recruitment by the petitioners. The respondent-Authorities are directed to examine and relax the age criteria in the ongoing recruitment process to the post of Multi Task Service for the reasons that petitioners are working for the last about 22 years as casual workers and they are over age for the process of recruitment to the post of Multi Task Service. In view of the above observation, the petitioners are directed to submit their applications for the post of Multi Task Service within a period of 10 days from today. The respondents are directed to accept the same by making necessary relaxation insofar as age is concerned for the recruitment to the post of Multi Task Service.

4.) Petition stands disposed of with the above observations.

(P.B. BAJANTHRI)
JUDGE

May 20, 2016.

sandeep sethi