

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

(1) Civil Writ Petition No.21201 of 2012 (O&M)

Bakhshish Singh and others
..... Petitioners
Versus
State of Punjab and others
..... Respondents

(2) Civil Writ Petition No.21293 of 2012

Darshan Ram and others
..... Petitioners
Versus
State of Punjab and others
..... Respondents

(3) Civil Writ Petition No.21757 of 2012

Shiv Kumar and others
..... Petitioners
Versus
State of Punjab and others
..... Respondents

(4) Civil Writ Petition No.21797 of 2012

Gurdial Singh and others
..... Petitioners
Versus
State of Punjab and others
..... Respondents

(5) Civil Writ Petition No.21820 of 2012

Prithvi Raj
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(6) Civil Writ Petition No.21841 of 2012

Bhadur Singh and others
..... Petitioners
Versus
State of Punjab and others
..... Respondents

(7) Civil Writ Petition No.21843 of 2012

Swaran Dass
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(8) Civil Writ Petition No.21881 of 2012

Nirmala Devi
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(9) Civil Writ Petition No.21889 of 2012

Baldev Singh
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(10) Civil Writ Petition No.21890 of 2012

Tirath Ram
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(11) Civil Writ Petition No.21894 of 2012

Jit Singh
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(12) Civil Writ Petition No.21902 of 2012

Om Singh
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(13) Civil Writ Petition No.21943 of 2012

Tara Chand
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(14) Civil Writ Petition No.21958 of 2012

Shingara Singh
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(15) Civil Writ Petition No.21963 of 2012

Kamarjit Singh
..... Petitioner
Versus
State of Punjab and others
..... Respondents

(16) Civil Writ Petition No.22008 of 2012

Ravinder Pal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

(17) Civil Writ Petition No.22108 of 2012

Harbans Lal and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

(18) Civil Writ Petition No.21809 of 2012

Roop Lal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

(19) Civil Writ Petition No.3858 of 2013

Varinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

(20) Civil Writ Petition No.17615 of 2013

Rajesh Kumar and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Pawan Kumar Mutneja, Advocate for the petitioner(s)
(in all the petitions except CWP No.17615 of 2013).

Mr. Harindar Kumar Aurora, Advocate for the petitioner(s)
(in CWP No.17615 of 2013).

Mr. Harkesh Manuja, Additional Advocate General, Punjab
for the respondent(s)/State assisted by Mr. Atul Mahajan, Dy. D.A.,
Mr. Kulraj Singh, Range Officer, Haryana, District Hoshiarpur &
Mr. Reet Mohinder Pal Singh, Forester, Forest Division Pathankot.

JASWANT SINGH, J. (Oral)

This common order shall dispose of the aforementioned 20 writ petitions as the facts involved therein are similar and the relief claimed is under the same Regularization Policy in the said cases.

The number of petitioners taken collectively, in all the aforementioned 20 petitions, comes to 112. They all are working as Daily Wage Beldars in different Forest Ranges under the Principal Chief Conservator of Forests, Punjab. They all are claiming regularization, *inter alia*, in terms of the Policy dated 18.03.2011 (**Annexure P-8**). It is claimed that all have worked for periods more than 10 years as on December, 2006, and also fulfill the other conditions laid down in the Policy (**P-8**).

Upon notice, reply by way of an affidavit dated 19.07.2016 of Sh. Nirmaljit Singh Randhawa, IFS, Conservator of Forests North Circle, Hoshiarpur has been filed on behalf of the respondents by way of Civil Misc. Application No.8584 of 2016.

Application is allowed. The affidavit along with other documents is taken on record.

In Para 4 of the affidavit, it is stated that 104 petitioners out of 112 involved in the aforesaid 20 petitions, fulfill the conditions envisaged in the Policy issued regarding regularization of their services and have thus been granted the benefit in terms of the Policy (**P-8**). It is submitted that since the Policy envisaged the creation of the posts in the first instance, thereby has resulted into a delay in consideration of the cases. The regularization of the services in terms of the Policy has thus been made against the sanctioned posts and from the dates of issue of the orders, in terms of the Policy, passed keeping in view the *inter se* seniority list maintained by the Department.

As regards 05 petitioners out of remaining 08, they have been found to have crossed the age of 60 years and thus not eligible to be appointed in Govt. Service. The said 05 petitioners are Ramesh Chand s/o Khali Singh (in CWP No.21201 of 2012), Bhag Singh s/o Sarwan Singh (petitioner No.5 in CWP No.21293 of 2012), Narinder Singh s/o Pritam Singh (petitioner No.4 in CWP No.21757 of 2012), Jit Singh s/o Nama Ram (in CWP No.21894 of 2012) and Amir Chand s/o Kaka Ram (petitioner No.3 in CWP No.22108 of 2012).

The 02 petitioners, namely, Darshan Ram s/o Gurbachan Ram (petitioner No.1 in CWP No.21293 of 2012) and Kamaljit s/o Sardara (petitioner No.17 in CWP No.21841 of 2012) are stated to have died.

The case of Mohinder Singh s/o Mast Ram (petitioner No.10 in CWP No.21201 of 2012) could not be considered due to non-submission of the requisite documents regarding his medical fitness and date of birth.

Learned State Counsel in view of the aforesaid supervening

circumstances submits that the aforesaid petitions have thus become infructuous except in the case of the aforesaid Mohinder Singh, whose case will be considered within next two months on his submission of the requisite documents.

Learned State Counsel also submits that the admissible benefits would be released to the petitioners from the dates of regularization of their services. In case, some petitioners have been left out, they would be free to represent to the Divisional Forest Officer(s) concerned, who would look into their grievances.

In response, learned Counsel for the petitioners concede that nothing more is to be adjudicated as far as the claim raised in these petitions.

In view of the aforesaid agreed stand, all the above writ petitions are disposed of as infructuous, however, it is clarified that Mohinder Singh s/o Mast Ram (petitioner No.10 in CWP No.21201 of 2012) shall approach the authorities concerned and submit the requisite documents regarding his medical fitness and proof of age within next two months i.e. by 30th September, 2016. Failing which, his claim for regularization shall be liable to be declined. It is further clarified that in case the petitioners have not been granted their admissible benefits in terms of their orders of regularization, they would be free to approach the Officers concerned for redressal of their grievances.

July 26, 2016
Gagan

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No