

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 16043 of 2014

Date of Decision : March 02, 2016

Basau Ram and others Petitioners

vs.

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Raman B. Garg, Advocate
for the petitioners.

Mr. Harish Rathee, Senior DAG, Haryana.

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DEEPAK SIBAL, J. :

The present petition challenges orders dated 06.08.2014 (Annexure P-7 Colly.), through which the earlier orders dated 25.07.2014 (Annexure P-4 Colly.), regularizing the services of the petitioners have been withdrawn.

Vide order dated 12.12.2014, the present petition was ordered to be dismissed as withdrawn qua petitioners no.2, 3, 4 and 6. In view of such fact, the present order is being passed only qua petitioners no. 1, 5, 7, 8 and 9.

A few facts, which need to be noticed, are that petitioners no. 1,

7, 8 and 9 joined the services of the respondents as Beldars, while petitioner no. 5 was appointed as a Chowkidar, on daily wages basis. Through orders dated 25.07.2014 (Annexure P-4 Colly.), the services of the aforementioned petitioners was ordered to be regularized w.e.f. 28.05.2014. However, the afore-referred orders were withdrawn through orders dated 06.08.2014 (Annexure P-7 Colly.), which are challenged through the present petition.

It is the admitted position that before withdrawing the orders, through which the services of the petitioners had been regularized, no notice or opportunity of hearing was granted to them. It cannot be disputed that withdrawal of orders of regularization of services of the petitioners entails civil consequences, and thus, before any such action could be resorted to, principles of natural justice were required to be followed.

In view of the above, the impugned orders dated 06.08.2014 (Annexure P-7 Colly.) are quashed. However, liberty is granted to the respondents to pass a fresh order, but only after complying with the principles of natural justice.

The writ petition stands disposed of accordingly.

(DEEPAK SIBAL)
JUDGE

March 02, 2016

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