

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

Date of decision: 17.02.2016

CWP No.18272 of 2014 (O&M)

Gurdeep Singh & others

....Petitioners

Vs.

Guru Angad Dev Veterinary and Animal Science University, Ludhiana &
another

.....Respondents

CWP No.19706 of 2014 (O&M)

Ekam Singh & others

....Petitioners

Vs.

Guru Angad Dev Veterinary and Animal Science University, Ludhiana &
another

.....Respondents

CWP No.20317 of 2014 (O&M)

Bhag Singh & others

....Petitioners

Vs.

Guru Angad Dev Veterinary and Animal Science University, Ludhiana &
another

.....Respondents

CWP No.22116 of 2014 (O&M)

Gautam Kumar

....Petitioner

Vs.

Guru Angad Dev Veterinary and Animal Science University, Ludhiana &
another

.....Respondents

COCP No.1532 of 2015

Baljinder Singh & others

....Petitioners

Vs.

Amarjit Singh Nanda & others

.....Respondents

COCP No.1585 of 2015 (O&M)

Bhag Singh & others

....Petitioners

Vs.

Amarjit Singh Nanda & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.K.Arora, Advocate for the petitioners
in CWP No.18272 of 2014.

Mr. Rahul Bhargava, Advocate, for the petitioners
in CWP No.19706 of 2014; CWP No.22116 of 2014 &
COCP No.1532 of 2015.

Mr. Puneet Sharma, Advocate, for the petitioners
in CWP No.20317 of 2014 & COCP No.1585 of 2015.

Mr.H.N.S.Gill, Advocate, for the respondents.

RAJIV NARAIN RAINA, J. (ORAL)

1. This order shall dispose of aforementioned bunch of four writ petitions as well as two contempt petitions preferred by the petitioners tagged with these petitions, who are daily-wagers, claiming regularization of their services in the respondent University. They claim that they have been working for years together and that now they are an exploited lot working on minimum wages.

2. Having heard learned counsel for the parties, I find that the prayer for regularization in service cannot be answered in the writ jurisdiction in view

of the ruling of the Supreme Court in **Secretary, State of Karnataka & others Vs. Umadevi & others; (2006) 4 SCC 1** and **Official Liquidator Vs. Dayanand & others; (2008) 10 SCC 1**. The petitioners can avail the alternative remedy before the Labour Court for the prayer made in these writ petitions where such claims may be entertained and relief considered in the light of **Maharashtra State Road Transport Corporation Ltd. Vs. Casteribe Rajya Parivahan Karamchari Sanghalana; (2009) 8 SCC 556**. However, in view of the law declared in **Umadevi 3** and **Dayanand** cases, the writ petitions are dismissed since this court would not issue directions to the University to regularize daily wage workers in writ jurisdiction without a policy in place and presence of unreasonable discrimination.

3. However, it is expected from the respondent – University that after long drawn service rendered for a number of years by the petitioners, the University may consider its moral duty towards its employees as a model employer and would remain the best judge of looking after their interests in the best possible manner to bring them succor wherever possible within the law. If the petitioners are engaged by conversion to tenure posts, the respondent – University would consider that factor in their favour to bring some security of tenure to them. The only hope this Court can express within its constraints is that the rule against exploitation of man must always be honoured when the University deal with marginalized labour and manual workers for the production of goods and services to each other's advantage. Nevertheless, in case of any doubts or reprisals arising in the heated situation after this order is passed, which may be creating any conflict or dispute between the parties, parties are free to apply in the disposed of matter for appropriate orders, if any required, for taking help of the court in their possible resolution. In case alternative dispute redressal forum is approached or remedy taken recourse to by the petitioners then nothing

said in this order would be taken as an expression of opinion of this Court on the merits of the case.

4. Coming to the contempt petitions i.e. COCP No.1532 of 2015 and 1585 of 2015, I find that in view of the observations made above and relegation to alternative remedy, no further orders are called for in the contempt petitions and the same are closed. Accordingly rule is discharged.

[RAJIV NARAIN RAINA]
JUDGE

17.02.2016
Vimal