

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

CWP No.1714 of 2016

Date of Decision:28.01.2016

Sanjeev Kumar Dhawan & ors.

... Petitioners

Versus

The State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sanjeev Patiyal, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

This petition has been filed in haste on an apprehension that the claim of the petitioners for regularization as Data Entry Operators-cum-Clerks in the Punjab Water Supply and Sanitation Department, raised by different memorials filed group-wise or through the unions of employees raising personal demands in the clamour for regularization of services. The memo is dated January 7, 2016 (Annexure P-12).

This petition has been filed by a number of employees in the background that advertisement No.4 of 2015 stands published in newspaper on November 28, 2015 inviting applications from eligible candidates to fill up a total number of 1376 posts of different categories including 556 posts of Clerks by way of regular direct recruitment. The last date of submission of applications was January 18, 2016. The fee was to be deposited by January 21, 2016 and the last date of deposit of documents was fixed for January 25, 2016. Those dates have gone by.

The petitioners have also applied for these posts. However, some of them have become overage and thus ineligible while working in the department on contract through the outsourcing system adopted by the department in the past. The oldest in contractual service amongst the petitioners was appointed in the year 2003 while others have been appointed on different dates till 2013. Since the petition is premature and the fact that the representations of employees in six different lots is pending consideration of the Government, no useful purpose would be served to initiate the Court process in this case and it would suffice to say that the respondents would consider and decide those representations in accordance with law, including those preferred by the petitioners as is found mentioned in Annexure P-12 being the memo dated January 7, 2016. It would be fair that the same deserve to be decided well before appointments are offered under advertisement No.4 of 2015. Those who may have been rendered overage are free to make representation to the Government to relax rules in their favour, in case there is such provision citing reason that they have been rendered overage while serving the Punjab Government in the same capacity in which the posts have been advertised to be filled. This order expresses no opinion thereon or on the claim for regularization of services.

With these observations, the petition stands disposed of as premature.

(RAJIV NARAIN RAINA)
JUDGE

28.1.2016

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