

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.22012 of 2013

Date of Decision:-18.11.2016

Amarjit Kaur.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. M.S. Kang, Advocate for Petitioner.

Mz. Sudeepti Sharma, Deputy Advocate General, Punjab
assisted by Mr. Shashi Garg, Law Officer, office of
DPI (SE), Punjab, Mohali.

JASWANT SINGH, J.(ORAL)

The petitioner has been working as a Part Time Class-IV Worker on daily wage basis since 1.8.1997 and posted in Government Primary School, Bahadurpur, Hoshiarpur. Her claim for regularization as a Class-IV employee in terms of the Regularization Policy has been declined vide impugned order dated 05.12.2012 (P-4) on the ground that she does not possess minimum laid down qualification of being a “Middle Class” for appointment as a Class-IV employee.

After hearing Counsel for the parties, it emerges that for the regularization of Part Time Sweepers there is no minimum qualification prescribed. It is also not in dispute that the petitioner is 5th Class pass and

Class IV post except that of a Sweeper as per the regularization policy for part time employees. It is also not disputed by the department that the petitioner has converted her claim for regularization as a sweeper in view of her own qualifications. The case of the respondent-department is that the services of the petitioner being a Part Time employee would be considered for regularization as a Sweeper as per her seniority maintained at the District level (Hoshiarpur). It is also not disputed that the work at the school is available as the petitioner is working since the year 1997.

In view of the above, this petition is disposed of with the direction to the respondents to consider the petitioner for regularization as sweeper as per her seniority maintained for regularization in view of the stated Regularization Policy for part time employees. The services of the petitioner shall not be dispensed with except in accordance with law. It is hoped that in the light of almost 20 years of part time service of the petitioner, sympathetic view shall be taken.

(JASWANT SINGH)
JUDGE

November 18, 2016
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>