

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

Date of decision: 09.08.2016

CWP No.23725 of 2015

Jatin Sharma & others

...Petitioners

Vs.

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. N.S.Panwar, Advocate, for the petitioners.

RAJIV NARAIN RAINA, J. (ORAL)

Relies on the 'one time policy' on regularization of services dated June 18, 2014 (Annex P-4) issued by the Haryana Government together with administrative precedent in implementation of the policy whereunder orders dated July 28, 2014 (Annex P-5) have been issued which inter alia include Data Entry Operators engaged on contract basis through Hartron Informatics Limited [Hartron] in the Haryana Civil Secretariat, Chandigarh whose services have been regularized as Clerks against vacant sanctioned posts. It is contended that the same principle should be applied to the placement of petitioning Data Entry Operators by Hartron, which is an approved agency of Government of Haryana; to serve in the Haryana Scheduled Castes Finance and Development Corporation i.e. respondent No.2. It is further contended that the petitioners have been working in the Corporation since June 10, 2011 as contractual Data Entry Operators and, therefore, fall within the terms & conditions of the Policy. The petitioners claim regularization of their services on the principle of parity of treatment

and equal opportunity being similarly placed like those whose names are in Annex P-5.

Since there is already an administrative precedent and the petitioners have made a request through representations to the respondent Corporation, collectively placed on record at Annex P-6, then it would suffice to direct, in the first instance, the respondent-Corporation to take a call and decide the representation(s) served by the petitioners and in case the claim is found just, then they can be given similar treatment for which no hearing would be required. In case, an adverse order is contemplated or there are reasons to justify departure from Annex P-4 & P-5, then a speaking order will be necessary to pass and convey to the petitioners.

As a result of the above and without expressing any opinion as to the rights of the petitioners, the competent authority is directed to decide the pending representation(s) of the petitioners before the end of two months of the date of receipt of certified copy of this order. If the petitioners are found entitled to regularization in terms of the policy of the Haryana Government, if it applies to the Corporation, then relief can be operated through office orders without the necessity of affording an opportunity of hearing or recording reasons, save on office files.

The petition stands disposed of with the above observations and directions.

[RAJIV NARAIN RAINA]
JUDGE

09.08.2016
Vimal

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*