

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

**CWP No.5588 of 2016 (O&M)
Date of Decision: 13.07.2016**

Ved Parkash

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sanjiv Gupta, Advocate,

for the petitioner.

Mr. Hitesh Pandit, Additional A.G., Haryana with
Mr. Ravi Pratap Singh, AAG, Haryana.

Mr. Shiv Kumar Sharma, Advocate,
for respondent No.5.

TEJINDER SINGH DHINDSA, J.(ORAL)

As per pleadings on record, petitioner was engaged as a Law Officer on ad hoc basis on 22.12.2010 in Haryana Vidhan Sabha, Secretariat.

Such engagement on ad hoc basis was for a period of 89 days initially. There is no dispute on the factual position that extensions were granted to the petitioner periodically. The last extension granted to the petitioner on the post of Law Officer, Haryana Vidhan Sabha was up to 28.09.2015. No extension was granted to him thereafter.

Mr. Sanjiv Gupta, counsel appearing for the petitioner makes a statement at the Bar that he is confining his prayer in the instant writ petition only with regard to the claim of the petitioner to be considered for

regularization in service under the policy dated 16.06.2014 at Annexure P-4.

As per counsel appearing for the petitioner, the policy dated 16.06.2014 is to apply in relation to the employees who have worked not less than three years as on 28.05.2014 and were not in service on the date of issuance of the Notification dated 16.06.2014. Counsel contends that the petitioner would meet the eligibility condition of having completed more than three years service as on 28.05.2014 and he was concededly in service on the date of issuance of the date of the policy.

Per contra, learned State counsel would submit that such policy would cover Group 'B' employees appointed/engaged on contractual basis and would have no application to employees of the Haryana Vidhan Sabha. State counsel has also adverted to the categorical stand taken in the written statement to the fact that the State Government Policy dated 16.06.2014 has not been implemented in the Haryana Vidhan Sabha Secretariat and it is the sole discretion of the Speaker to take a decision as regards any instructions of the State Government to apply on the employees of the Secretariat or not.

State counsel further more on instructions from Law Officer, Kulbir Singh, Haryana Vidhan Sabha and who is present in Court states that neither has regularization policy dated 16.06.2014 been adopted and nor has the services of any employee in the Vidhan Sabha Secretariat been regularized under such policy.

In the light of such categorical stand taken on behalf of the State, it is clear that the regularization policy dated 16.06.2014 on the strength of which the prayer for regularization is being pressed is not applicable to the employees of the Haryana Vidhan Sabha Secretariat.

In view of the above, the limited prayer raised by Mr. Sanjiv

Gupta, counsel appearing for the petitioner seeking regularization of service of the petitioner under the policy dated 16.06.2014 cannot be accepted.

Petition is, accordingly, dismissed.

13.07.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE