

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

(1)

**LPA No.1810 of 2015 (O&M)
Date of Decision: 02.02.2016**

Balraj & others

Versus

.....Appellants

State of Haryana & others

....Respondents

(2)

LPA No.1814 of 2015 (O&M)

Ishwar Singh

Versus

.....Appellant

State of Haryana & others

....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Sandeep Singal, Advocate for the appellant(s).

RAJIVE BHALLA, J (ORAL)

CM-3904-LPA-2015 in LPA-1810-2015

CM-3910-LPA-2015 in LPA-1814-2015

Prayer in these applications is to condone delay of
109 days in filing the appeals.

Heard.

For reasons stated in the applications and
arguments addressed, the applications are allowed and delay of
109 days in filing the appeals is condoned.

Main Case

By way of this order, we shall dispose of the above

referred appeals as they involve the same controversy.

The appellants are aggrieved by order dated 06.07.2015, passed by the learned Single Judge, dismissing their petition on the ground of delay and laches as well as affirming the order passed by the respondents denying regularisation from 01.02.1996 on the ground that no post is available.

Counsel for the appellants submits that the appellants claim regularisation from 01.02.1996 but vide order dated 04.01.2005, their services were regularised from 01.10.2003. A similarly situated employee Mahlo Devi has been granted a similar benefit.

We have heard counsel for the appellants but are not inclined to entertain the appeals. The order of regularisation was passed on 04.01.2005, effective from 01.10.2003 . The appellants served a legal notice on 20.01.2010 and then filed a writ petition, which was disposed of with a direction to consider the case of the appellants. The representation was rejected on the ground that no post is available. The appellant remained silent from 2004 to 2010. A matter that stood settled could not be re-opened merely because some other employee was granted a similar benefit on the basis of a decree passed by a Civil Court. The

LPA No.1810 of 2015 (O&M) and
LPA No.1814 of 2015 (O&M)

-3-

appeals are, therefore, devoid of merits and dismissed.

A photocopy of this order be placed on the file of
the connected case.

[RAJIVE BHALLA]
JUDGE

02.02.2016
Vinay

[LISA GILL]
JUDGE