

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

COCP No.3277 of 2017 (O&M)

Date of Decision: 09.11.2017

Raj Kapoor

....Petitioner

Versus

Sh. Anand Mohan Sharan, IAS and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Ram Niwas Sharma, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

The present contempt petition has been filed for non-compliance of order dated 03.05.2017 passed in CWP No.8233 of 2015.

Learned counsel for the petitioner submits that the claim of the petitioner has not been considered for regularization only on the ground that he has not completed 240 days' service as per requirement of the policy of regularization.

Vide Order dated 03.05.2017 passed in the writ petition, the respondents were directed to consider the claim of the petitioner in view of policy dated 01.10.2003 and in case, it is found that the petitioner fulfills the conditions laid down under the said policy, regularize his service in terms of said policy and release the consequential benefits. The necessary order was directed to be passed within a period of two months from the date of receipt of certified copy of the order.

In pursuance of said directions issued on 03.05.2017, a

speaking order has been passed, wherein, it has been mentioned that the petitioner has not worked for 240 days in the year prior to the date of retrenchment.

On perusal of policy, it appears that the requirement of completion of 240 days is of three years in each year but the finding has been recorded that the petitioner does not fulfill the conditions of the policy of regularization in any of the year. Petitioner has completed 240 days in the year preceding the date of retrenchment.

Since the compliance of order has been made and a speaking order has been passed, the present contempt petition is dismissed.

However, in case, the petitioner is aggrieved by said order, he is at liberty to avail the appropriate remedy.

09.11.2017
gurpreet

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No