

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

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**CWP-11458-2014 (O&M)
Date of decision:17.04.2017**

Pala Ram and others

....Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr.Deepak Sonak, Advocate for the petitioners.

Mr. Sushil Gautam, DAG, Haryana.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, the petitioners have sought for quashing office orders dated 23.04.2013 and 27.06.2013 passed by respondent No.2 vide Annexures P4 to P7 whereby the petitioners' claim for regularization has been turned down. Further they have sought for a direction to regularize their services.

The petitioners are stated to have been appointed as Daily Wages employees in January 1980, January 1980, July 1987 and January 1980 respectively. The petitioners stated to have filed writ petition before this court. Their writ petitions were allowed on 12.12.2012 and 05.02.2013 with a direction to respondent No. 2 to consider and decide the legal notice dated

04.11.2011 and 18.03.2012 within a period of four months. 2nd respondent has rejected petitioners' claim for regularisation on 23.04.2013 and 27.06.2016 (Annexures P4 to P7). Thus, the present petition.

Learned counsel for the petitioners vehemently, submitted that petitioners are entitled for regularization on par with the persons who are appointed similar to that of petitioners in the year 1980 to 1987. It was further contended that in identical circumstances, this court in the cases titled as ***Labh Singh versus State of Haryana and others*** (CWP No.1114 of 2013 decided on 31.08.2013) and ***Sukhpal Singh versus State of Haryana and others*** (CWP No. 1381 of 2011 decided on 07.01.2013) held that they are entitled for regularization, while quashing the rejection of their claim of regularisation and official respondents were directed to reconsider claim of those petitioners for regularization afresh. Thus, in terms of judgment passed in Labh Singh's case (supra) and Sukhpal Singh's case (Supra) the petitioners' case is required to be re-considered, while setting aside the orders dated 23.04.2013 and 27.06.2013.

Per contra, learned State counsel resisted the petitioners' claim that detailed order has been passed by 2nd respondent on 23.04.2013 and 27.06.2013 with reference to various decisions of this court as well as Supreme Court. Thus, the petitioners have not made out a case.

Heard learned counsel for the parties.

Perusal of judgments titled as ***Labh Singh's case (Supra)*** and ***Sukhpal Singh's case (Supra)*** this court was pleased to consider decision of the Supreme Court as well as various decisions while directing the

official respondents to reconsider the petitioners' claim for regularisation in those cases. Some of the decisions which are quoted in the main orders dated 23.04.2013 and 27.06.2013 have been discussed by this court in Labh Singh's case (supra) and Sukhpal Singh's case (Supra). Therefore, Annexures P4 to P7 dated 23.04.2013 and 27.06.2013 are hereby set aside and the matter is remanded to 2nd respondent to reconsider the petitioners' claim with reference to Annexures P8 and P9 and pass appropriate order within a period of 3 months from today.

Accordingly, CWP stands allowed.

17.04.2017

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No