

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

**CWP No. 19493 of 2013
Date of Decision: 14.02.2017**

Gurmail Singh & others

...Petitioners

Versus

State of Punjab & Others

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Surinder Garg, Advocate
for the petitioners.

Mr. H. S. Sethi, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

The petitioners herein filed the instant writ petition seeking a writ in the nature of Mandamus directing the respondents to regularize their services.

The petitioners herein were appointed as Drivers/Conductors through a service provider-respondent No. 5. Seeking regularization of their services, they and similarly situated persons filed CWP No. 22322 of 2011. During the pendency of the said writ petition, a compromise was effected on 06.08.2012 (Annexure P-3), wherein, a decision was taken that the posts of Drivers/Conductors would be advertised and all those contract workers, appointed through service providers and already working in Punjab Roadways and PUNBUS, would be given priority in terms of appointment. However, since no advertisement was issued in terms of the compromise effected during the pendency of CWP No. 22322 of 2011, this instant writ

petition came to be filed seeking regularization of the services of the petitioners herein.

Mr. H. S. Sethi, Addl. A.G., Punjab, on instructions from Sh. Sukhjot Singh, Auditor, O/o Director Transport, Punjab, submits that during the pendency of the instant writ petition and in terms of the compromise arrived at, an advertisement was issued and selection process is over and the appointments have been made which fact is not disputed by the counsel for the petitioners. It is also argued that the petitioners being employees of the service provider have no ground to file the writ petition as has been held in *Nishan Singh and others vs. State of Punjab and others, 2013 Law Suit (P&H) 907*.

I have heard learned counsel for the parties and have gone through the paper book.

In view of the fact that the selection process in terms of the advertisement issued is complete and keeping in mind that the petitioners herein are the employees, appointed through service provider-respondent No. 5, have no locus to file writ petition, the instant writ petition is dismissed by relying upon *Nishan Singh's case* (supra).

February 14, 2017

Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*