

In the High Court of Punjab and Haryana at Chandigarh

Date of Decision: April 26, 2017

1) *C.W.P. No. 17876 of 2014*

Dashrath Singh and another *Petitioners*

Versus

State of Haryana and others ... *Respondents*

2) *C.W.P. No. 17919 of 2014*

Satyawan ... *Petitioner*

Versus

State of Haryana and others ... *Respondents*

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

Present: Mr. B.S. Mittal, Advocate,
for the petitioners.

Mr. Hitesh Pandit, Addl. A.G., Haryana

P.B. Bajanthri, J. (Oral)

1. By this common order, both the civil writ petitions i.e. CWP Nos. 17876 and 17919 of 2014 are being decided together as similar facts are involved in these writ petitions. However, for brevity, facts have been taken from CWP No. 17876 of 2014.

2. Petitioners have sought for writ of mandamus to the respondents to alter the date of regularization from 05.08.2003 to as and when petitioners completed two years of service on contract basis with reference to policy dated 28.07.1994 (Annexure P/2) read with judgments passed by this Court vide Annexures P/3 to P/5.

3. Petitioners were appointed as Conductor on contract basis. For non-regularization of their services, they have approached this Court in the

year 1999. During the pendency of 1999 litigation, respondents have regularized the petitioners' services on 10.11.2003 from the prospective date. Petitioners' grievance is for alteration of date of regularization from 10.11.2003 to as and when they completed two years of service with reference to policy dated 28.07.1994. Petitioners are not entitled for alternation of date of regularization from 10.11.2003 to any other date for the reason that petitioners had cause of action on 10.11.2003 for the purpose of alteration of date of regularization. They have approached this Court only in the year 2014. Moreover, petitioners have not questioned the date of regularization as 10.11.2003 in order to get it altered as and when they completed two years' service with reference to policy dated 28.07.1994. Therefore, on the ground of delay and laches so also in not questioning the date of regularization dated 10.11.2003 for the purpose of alteration of date of regularization.

4. Hence, both the aforesaid writ petitions i.e. CWP Nos. 17876 and 17919 of 2014 stand dismissed.

April 26, 2017
vkd

[P.B. Bajanthri]
Judge

Whether speaking / reasoned : Yes

Whether reportable : No