

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

CWP No.13009 of 2017 (O&M)

Date of Decision: 11.07.2017

Sushma Rani

....Petitioner

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. S.K. Arya, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

C.M. No.9127 of 2017

This application has been moved for placing on record
Annexure P-5.

C.M is allowed and Annexure P-5 is taken on record.

CWP No.13009 of 2017

The present petition has been filed for issuance of a direction to
the respondents to regularize the services of the petitioner as a Punjabi
Mistress from the date her junior has been regularized.

Learned counsel for the petitioner submits that the petitioner
was appointed on the post of Punjabi Mistress in the category of Scheduled
Caste (Ex-serviceman) but her candidature was considered in the category
of Scheduled Caste and not in the category of Scheduled Caste (Ex-
serviceman). As per policy decision, the services of an employee are to be
regularized on completion of 3½ years of service. The condition of length of

service of 3½ years was waived of in case of Smt. Shaminder Kaur and she was regularized only after completion of nine months of service. The petitioner is having service of more than 2½ years and as such, she is also entitled for regularization by waiving of the condition of 3½ years. The petitioner has made a representation on 25.02.2017 but no action has been taken so far. Learned counsel for the petitioner also submits that the petitioner would be satisfied, in case, the directions are issued by this Court to the respondents to consider the representation dated 25.02.2017 (Annexure P-4) moved by the petitioner.

By considering the submissions made by learned counsel for the petitioner and without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to consider the representation dated 25.02.2017 (Annexure P-4) moved by the petitioner and the case of similarly situated persons whose services have been regularized by waiving the condition of 3½ years of service and take necessary action in accordance with law within a period of two months from the date of receipt of certified copy of the order.

The petition is disposed of accordingly.

However, in case, the petitioner is found to be entitled for regularization, the order of regularization be passed within a period of one month thereafter.

(DAYA CHAUDHARY)
JUDGE

11.07.2017
gurpreet

Whether speaking/reasoned

Yes

Whether Reportable

No