

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

CWP No.21799 of 2015

Date of Decision:17.05.2017

Satbir Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. R.S. Mamli, Advocate for the petitioner.

Mr. R.K. Doon, A.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

The petitioner has questioned the validity of speaking order dated 10.1.2014 (Annexure P-9) by which petitioner's claim for regularization w.e.f. 1.10.2000 has been turned down while upholding the date of regularization as 1.7.2005. Further he has sought for direction to consider his claim for regularization w.e.f. 1.10.2000 so also service rendered between 19.4.1995 to 1.7.2005 towards grant of pension under Rule 3.17 (A) of the Punjab Civil Services Rules.

Petitioner had cause of action in respect of regularization w.e.f. 1.10.2000 in the year 2005. There is an inordinate delay on the part of the petitioner so also not questioning the order of regularization to the extent that his services have been regularized w.e.f. 1.7.2005. Therefore, prayer for regularization w.e.f. 1.10.2000 is liable to be rejected on the ground of delay and laches. Accordingly, it is rejected.

Insofar as extended service benefits towards pension, the petitioner is stated to have been appointed on daily wage on 19.4.1995. His services have been regularized w.e.f. 1.7.2005. The intervening period is required to be considered for the purpose of pension under Rule 3.17 (A) of

the Punjab Civil Services Rules. On this issue, speaking order dated 10.1.2014 is silent. Therefore, concerned respondent is directed to examine the petitioner's claim regarding counting of daily wage services rendered during the period from 19.4.1995 to 1.7.2005 towards grant of pension in accordance with law. To that extent, a speaking order be passed and communicate to the petitioner within a period of three months from today.

With the above observation, petition stands disposed of.

17.05.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**