

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

**Civil Writ Petition No.23043 of 2017  
Decided on : 09.10.2017**

Jugbir Singh @ Jagbir Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : Mr. Rohit Ahuja, Advocate for the petitioner.

**G.S. Sandhawalia, J. (Oral)**

The petitioner seeks a writ in the nature of mandamus under Article 226 of the Constitution of India for directing the respondents to regularize his services as per policy dated 01.10.2003 (Annexure P-3).

It is the case of the petitioner that he was appointed as Beldar on daily wages on 02.02.1999 and his services were terminated on 30.08.2000. He raised an industrial dispute which was referred to the Industrial Tribunal-cum-Labour Court, Hisar, which dismissed the Reference Petition on 22.02.2006 (Annexure P-1). He challenged the said award by filing **CWP No.9965 of 2006**, which was allowed on 06.02.2007 (Annexure P-2) by the Division Bench and he was held entitled to be reinstated in service with continuity of service and 25 % back wages also. Accordingly, he joined duty on 05.03.2007 and is working to the entire satisfaction of his superiors. He has been regularized vide order dated 17.11.2014 (Annexure P-5) w.e.f. 18.06.2014 and resultantly he seeks the benefit of regularization from an earlier date on account of the strength of the fact that he deemed to be in service in view of the Division Bench order

and the said policy was allegedly in force at that point of time.

Counsel submits that he would be satisfied if the legal notice dated 15.03.2017 (Annexure P-6) is decided within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Copy of the paper-book has been supplied.

Keeping in view the above, no useful purpose will be served by calling upon the respondents and to file reply, since the decision making process is not complete.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with a direction to respondent No.3 to take a decision on the legal notice dated 15.03.2017 (Annexure P-6) within a period of 4 months from the receipt of the certified copy of this order.

Needless to say that, in case, any adverse order is to be passed, the same be conveyed to the petitioner by passing a speaking order.

**OCTOBER 09, 2017**  
*Naveen*

**(G.S. SANDHAWALIA)**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes/No*

*Whether Reportable:*

*Yes/No*