

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

215

CWP No.9245 of 2016

Date of decision: 29.08.2017

Jai Kishan @ Jai Krishan

....Petitioner

Versus

State of Haryana & others

...Respondents

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

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

Ms.Shruti Jain Goyal, AAG, Haryana.

Ms.Anu Dutta, Advocate, for  
Mr.J.S.Mannipur, Advocate, for respondent No.5.

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

Petitioner seeks the benefit of regularization from the due date along with all consequential benefits, on account of the fact that many juniors have been regularized.

The respondents, in their reply, have reproduced the table showing the period for which the petitioner worked. Same reads as under:

| Sr.No. | Year | Man Days |
|--------|------|----------|
| 1      | 1997 | 111      |
| 2      | 1998 | 16       |
| 3      | 1999 | 18       |
| 4      | 2003 | 57       |

They have further averred that besides the above, the petitioner had never worked under the respondents, namely, the Divisional Forest Officer (Territorial), Yamuna Nagar since 2003. The said affidavit was filed on 07.11.2016. No replication has been filed to controvert the same. A period of almost 10 months have expired since then. Once the petitioner is not in service, then the question of regularization would not arise.

Faced with this situation, counsel for the petitioner submits that he may be permitted to withdraw the present writ petition, to avail his remedy before the Industrial Tribunal, in accordance with law.

Ordered accordingly.

29.08.2017

Sailesh

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No

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