

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

LPA No.877 of 2017

Date of Decision : 15.11.2017

Sukhdeb Singh

....Appellant

Versus

The State of Haryana and others

...Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

**Present : Mr.I.D.Singla, Advocate
for appellant.**

MAHESH GROVER, J. (Oral)

This appeal is directed against the judgment of the learned Single Judge dated 24.03.2017 declining his prayer for regularisation on group 'C' post as a Water Pump Operator in the absence of any rule or existing right. The appellant contends that he was engaged as a Water Pump Operator, a group 'C' post in the year 1984 but was regularised on 01.04.1993 as Patrol Man. He makes a reference to certain precedents where persons with no technical qualification for group 'C' post were regularised simply because they were working as such and had requisite experience. A reference has also been made to Annexure P-1 where the Engineer-in-Chief Haryana, Public Health Engineering Department, Panchkula has solicited the details of officials working on group 'C' posts prior to their regularisation and regularised on group 'D' post. From this annexure the appellant wants the court to believe that this is an attempt to regularise all those employees who were initially appointed on group 'C' posts but

regularised on group D' posts. A careful perusal of this annexure does not reveal anything of the sort. The purpose of the letter is not evident from it. Therefore, we are unable to assume anything or read it as per the appellant perception. The learned Single Judge has opined that in the absence of any material showing the appellant performing his duty as Water Pump Operator, he would not be entitled to regularisation since he does not meet the required qualification in accordance with the rules. We would concur with the view of the learned Single Judge. The plea of the appellant that some similarly situated persons have been regularised would cut no ice. If the respondents are indulging in irregularities, that would be no reason for the court to issue a mandate to perpetuate an act that is unsustainable in view of the rules.

Dismissed.

(MAHESH GROVER)
JUDGE

15.11.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No