

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

CM No.5190-CWP of 2016 in/and
RA-CW No.140 of 2016 in
CWP No.18878 of 2013
Date of Decision: 17.02.2017

Ram Bag and another

----Applicant-Petitioner

Versus

Kurukshetra University, Kurukshetra and another

----Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present: Mr. A.S. Virk, Advocate
for the applicants-respondents.

Mr. Sachit Punia, Advocate
for the non-applicants-petitioner.

HARINDER SINGH SIDHU, J.

CM No.5190-CWP of 2016

This application has been filed seeking condonation of delay of 58 days in filing the review application.

Notice of the application was issued.

For the reasons mentioned in the application, the same is allowed and the delay of 58 days in filing the review application is condoned.

RA-CW No.140 of 2016

Through this review application, the applicant-Kurukshetra University is seeking modification of the order dated 01.02.2016 to the limited extent that as a consequence of regularization of their services, they be held entitled to the financial benefits only upto 38 months preceding the filing of the writ petition. The relevant part of the order dated 01.02.2016 reads as under:

“Accordingly, this petition is allowed. The respondents are directed to consider the petitioners' case for regularisation in accordance with the policy dated 1.10.2003 (Annexure P-7) and pass appropriate orders in this regard within two months from date of receipt of certified

copy of this order. The fact that they are being paid out the amalgamated fund and the posts are not sanctioned in the University budget will not be taken to be grounds to deny them the said benefit. The petitioners would be entitled to all consequential benefits.”

After hearing learned counsel for the parties, the review application is allowed and the operative part of the order dated 01.02.2016 is orderd to be modified to the extent that non-applicant-petitioner on regularization of their services shall be entitled to the financial benefits only upto 38 months preceding the filing of the writ petition.

As vide order dated 01.02.2016, the petitioners have been held entitled to the financial benefits in terms of policy 01.10.2003, which was wrongly denied to them by the respondents, forcing them to approach this Court, the University is directed to pay a sum of Rs.10,000/- each of the petitioner towards costs.

(Harinder Singh Sidhu)
Judge

17.02.2017
Atul

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No