

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

**C.O.C.P. No.2859 of 2016 (O&M)
Date of Decision: 16.02.2018**

Charan Singh

..... Petitioner

Versus

Sh. Amit Dhaka, Managing Director of Punjab Small Industries &
Export Corporation Ltd. (State Government Undertaking)

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. P.S.Khurana, Advocate for the petitioner.

Mr. Indresh Goel, Advocate for the respondent.

JASWANT SINGH, J. (Oral)

The petitioner was working on daily wage basis with the Punjab Small Industries & Export Corporation Ltd. (for short 'the Corporation') since the year 1993. He along with other daily wagers, working with the Corporation, had filed CWP No.10494 of 2002, seeking a direction to the Corporation for regularization of their services, although, concededly no regularization Policy, framed by the Government, had been adopted by the Corporation. The said writ petition was disposed of with other writ petitions, wherein the petitioners were the transferred employees from the Corporation to the Municipal Corporation, Amritsar, vide composite order dated 29.08.2013 (**Annexure P-1**), whereby such transferred employees to the Municipal Corporation, Amritsar were directed to be treated as regular employees of the Municipal Corporation. By filing the present contempt petition, it is alleged that the respondents have committed contempt of the aforesaid order dated 29.08.2013 (**P-1**) by not treating the petitioners as regular employees of the Export Corporation.

Upon notice, reply has been filed, wherein it is stated that a speaking order dated 26.05.2017 (**Annexure R-3**) has been passed, whereby the case of the petitioner for regularization has been considered in view of the applicable Policy dated 17.11.2011. It has been shown that the petitioner is not entitled to be regularized in the light of non-fulfillment of the essential conditions being 8th class pass.

After hearing learned Counsel for the parties, this Court finds that no case for continuing the present contempt petition is made out as the operative portion of the said order primarily relates to the employees, who were transferred from the Corporation to the Municipal Corporation, Amritsar. As far as the respondents have proceeded to consider the case as per the Policy, it would show that the substantial compliance of the intent of the aforesaid order qua the writ petition filed by the petitioner and disposed of vide the same order.

Accordingly, the present contempt petition is dismissed as infructuous.

The petitioner is free to challenge the aforesaid speaking order dated 26.05.2017 (**R-3**) in accordance with law.

February 16, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>