

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.214

CWP-17170-2010 (O&M)
Date of decision : 24.05.2018

Raj Singh and others Petitioners

VERSUS

State of Haryana and another Respondents

CWP-19312-2012 (O&M)

Azad Singh and others Petitioners

VERSUS

State of Haryana and another Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Chandra Shekhar Singh, Advocate, for the petitioners.

Mr. Gaurav Jindal, Asstt. A.G., Haryana.

SUDHIR MITTAL, J. (Oral)

This order will dispose of above-cited writ petitions as common questions of law and facts are involved therein. The facts are being extracted from CWP-17170-2010.

The petitioners were appointed as Sub Inspectors in the Food and Supplies Department on ad-hoc basis in the year 1980-81. One of the terms of their appointment was that their services would be liable to be terminated on appointment of regular employees. The Haryana Service Selection Board appointed regular employees in the year 1985 and hence, the services of the petitioners were dispensed with, vide order dated 08.04.1986. One Ishwar Singh challenged the order of his termination, vide CWP-3463-1986 and the said writ petition was allowed on 26.09.1988. Against the said judgment, the State went in SLP, which was allowed and the State was directed to examine the case of Ishwar Singh afresh. Vide order dated 09.02.1996, Ishwar Singh's claim was again rejected, necessitating the filing of CWP-5395-1996. The said writ petition was allowed vide order dated 19.09.1996 and SLP thereagainst,

was dismissed. Consequently, Ishwar Singh was reinstated vide order dated 31.03.1997 w.e.f. 31.12.1990. The petitioners being identically situated, were granted the same relief vide reinstatement order dated 08.01.1998/09.04.2001. Thereafter, legal notice dated 10.07.2009 (Annexure P-4), was issued on behalf of the petitioners seeking seniority in the cadre of Sub Inspectors w.e.f. 31.12.1990. Vide impugned order dated 02.03.2010 (Annexure P-6), the claim of the petitioners has been rejected. Hence, the present writ petition.

A perusal of the prayer clause of the writ petition shows that the petitioners are demanding seniority in the cadre of Sub Inspectors, Food and Supplies w.e.f. 31.12.1990.

Learned State counsel has drawn the attention of this Court to Para-6 of the preliminary submissions in the written statement, filed by the State to the amended writ petition, wherein it is specifically mentioned that the services of the petitioners have been regularized w.e.f. 31.12.1990, on the same terms and conditions as in the case of Ishwar Singh.

Thus, it is obvious that the relief claimed by the petitioners has been granted and nothing survives in these writ petitions.

The writ petitions are accordingly disposed of as having been rendered infructuous.

A photocopy of this order be placed in the file of other connected case.

(SUDHIR MITTAL)
JUDGE

24.05.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No