

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 21.02.2018****CWP No.24505 of 2014**

Subhash & others

...Petitioners

Vs.

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Dr. Suresh Kumar Redhu, Advocate, for the petitioners.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioners are serving as Cook, Sweeper & Water Carrier. They have been exploited by the police department since their initial appointments in 1982, 1986 & 1991 respectively. They have toiled continuously in Police Lines, in the houses of the Officers of the Police Department and in Police Stations, cooking, cleaning and serving water and running errands. The position regarding continuity or work is not disputed. Even if they are treated as part-time employees, even then part-time employees are covered by the policy instructions of the Haryana Government for regularization of services promulgated from time to time.

The only defence in the written statement is that they are illiterate and, therefore, their services cannot be regularized. Besides, they do not hold sanctioned posts.

The experience running over decades in such category of employment i.e. Cook, Sweeper and Water Carrier is sufficient substitute for

educational qualification if their work and conduct is satisfactory. The State Government cannot be seen as an exploiter of human resources, as it has to act as a model employer for others to emulate. Three decades of hard work deserves to be rewarded with a concession that policies of regularization promote without being hyper technical and painstakingly punctilious.

Accordingly, the petition is allowed. A direction is issued to the respondents to consider the cases of the petitioners for regularization in the first available policy after they had completed 10 years of service from the initial date of their respective appointments. However, financial benefits will be restricted to three years prior to the filing of the writ petition in the event of their regularization. The exercise be completed within two months from the date of receiving of certified copy of this order.

21.02.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

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