

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19023-2018

Date of decision: 02.08.2018

Ishwar Singh

...Petitioner

V/s.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Nihal S. Choudhary, Advocate for the petitioner.

RITU BAHRI, J. (Oral).

The petitioner is seeking regularization of his service on the premises that the Labour Court vide its award dated 02.11.2006 (Annexure P-2) ordered reinstatement with continuity of service.

As per the details given in the writ petition, the petitioner was working as a labourer on daily wages since 01.02.1992 in the office of Regional Superintendent, Sector-3 under the control of Chief Superintendent, Govt. Livestock Farm, Hisar. The petitioner continuously worked with the respondents on daily wages from 01.02.1994 to 10/1994 and the said information was also received under the RTI Act, (Annexure P-1). However, his services were terminated and the Industrial Tribunal cum Labour Court, Hisar vide award dated 02.11.2006 reinstated him with continuity of service (Annexure P-2). He made a representation (Annexure P-5) for regularization and finally his services were regularized w.e.f. 30.06.2014 as per the regularization policy (Annexure P-7). The petitioner has referred to the judgement passed by this Court in case of ***Bhim Sain and others V/s. State of Haryana and others, CWP No. 16351 of 2012, decided on 30.07.2015*** (Annexure P-8) to contend that petitioners

therein have been granted benefits of regularization from the date of juniors have been regularized. Similar judgment (Annexure P-9) has been placed on record. The petitioner has now made a representation (Annexure P-11) giving above said facts for challenging the order of regularization from 01.10.2003.

This petition is disposed of with a direction to the respondents to look into the representation (Annexure P-11) and if the re-instatement with continuity of service as per award passed by Labour Court finds to be correct, his case is to be considered for regularizing him w.e.f. 01.10.2003 at par with other similarly situated employees (Annexure P-8, P-9 and P-10) within a period of two weeks from the date of receipt of certified copy of the order and this Court be informed of the order passed thereof.

02.08.2018

Divyanshi

**(RITU BAHRI)
JUDGE****Whether speaking/reasoned**

:

Yes/No**Whether reportable**

:

Yes/No