

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.19151 of 2018
Date of Decision: 03.08.2018

Parmeshwari

.....Petitioner

Vs.

State of Haryana and anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.B.S.Rana, Advocate for the petitioner.

RITU BAHRI, J. (ORAL)

Petitioner is seeking directions to the respondents to consider her case and decide the legal notice dated 25.05.2018 (Annexure P-5) by passing a speaking order with a stipulated period as she has not been regularized from the date when her juniors have been regularized as per seniority list.

Learned counsel for the petitioner submits that petitioner was appointed as Sweeper being Class-IV employees on part time basis in the respondent/Department and she has joined the Department on 02.09.2002 as per certificate (Annexure P-1). Thereafter, petitioner was regularized by the Department vide order dated 07.09.2017. As per Government instruction dated 27.02.2004, a provision has been made to regularize the services of part time peon/sweeper/Water carriers, who have completed 6 years services (Annexure P-2). However, some of the District Education Officers/respondent No.3 have not considered the case of all the Class IV employees in pursuance of the instructions and directions of the respondent No.2 rather adopted a policy of pick and choose and only considered the case of IVth class employees who were very close to them. It is pertinent to

mentioned here that the junior of the petitioner namely Nafe Singh who joined on 01.03.2003 and Nehru Singh joined on 16.12.2003 have been regularized w.e.f. 01.04.2011 vide order dated 30.11.2012. Thus some of the other similar situated employees had filed writ petition No.18296 of 2014 before this Court which has been disposed of vide order dated 04.09.2014 and in view of the same, the juniors of the petitioners have been regularized by the Department prior to the petitioner. Learned counsel for the petitioner has also referred to the order dated 10.01.2017 (Annexure P-6) passed in CWP No.14131 of 2016 titled Mukesh Kumar and others Vs. State of Haryana and others, vide which, employees have been regularized w.e.f. 01.04.2011 by the Department. Petitioner has made legal notice dated 25.05.2018 (Annexure P-5) to the respondents but no action has been taken in this regard.

Notice of motion.

Ms.Nidhi Garg, AAG Haryana, has appeared and accepts notice on behalf of respondent/State.

Keeping in view the above and order dated 10.01.2017 (Annexure P-6), the present writ petition is disposed of and respondents are directed to look into the legal notice dated 25.05.2018 (Annexure P-5) and pass appropriate orders within a period of 6 weeks from the date of receipt of this order in accordance with law.

(RITU BAHRI)
JUDGE

03.08.2018

anil

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