

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 21808 of 2017

Date of decision: August 10, 2018

Raj Singh and others

... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MRS. JUSTICE RITU BAHRI

Present: Mr. Bishan Dass Rana, Advocate,
for the petitioners.

Mr. Kiran Pal Singh, AAG., Haryana.

RITU BAHRI, J.(Oral)

The precise case of the petitioners is that they were appointed as Sweeper/Peon/Chowkidar/Water Carrier being class-IV employees on the part time basis by the department of respondents. The petitioner No.1 had joined as Sweeper on 26.4.2001 in GHS, Khatkar, petitioner No.2 joined as Chowkidar on 21.1.2000 in GHS, Uchana District Jind, petitioner No.3 joined as Water Carrier-cum-Mali in January 2001 in GPS, Barsola, petitioner No.4 joined as Peon on 1.12.2000 in GGHS, Khatkar, District Jind. The services of the petitioners were regularized in July/August, 2014/2015. Their grievance is that junior who were working as Class-IV employees have been regularized. Respondents in their written statement have not disputed that services of the petitioners have been regularized in July/August 2014/2015. Their appointment letters are annexed as Annexure P-1. This fact has not been denied by the respondents in paragraph 2 of the

The petitioners have referred to the orders passed in the case of similarly situated employees wherein the services of the petitioners were regularized from the year 2011. They have also placed the copy of the judgment passed in **CWP No. 18296 of 2014 decided on 4.9.2014 titled as Sanjay and others Vs. State of Haryana and others** (Annexure P-3) where the daily wagers had approached this Court to consider their case for regularization w.e.f. 1.4.2011 at par with the juniors and the writ petition was disposed of giving a direction to the respondents to pass appropriate orders within four months.

Counsel for the respondents has submitted that petitioners cannot claim parity at par with Class-IV employees referred to in the aforementioned judgment. This argument is liable to be rejected. The benefit of regularization should be given to the petitioners when they are fulfilling the conditions of regularization policy dated 11.1.2003 which has been placed on record by the respondents as Annexure R-1.

Keeping in view the orders passed in CWP No. 18296 of 2014, the present writ petition is disposed of with a direction to the respondents to consider the case of the petitioners and decide the legal notice (Annexure P-4) and pass appropriate orders with all consequential benefits of notional pay without any peculiar benefits in the light of judgment passed in CWP No. 18296 of 2014

The writ petition is accordingly disposed of.

(RITU BAHRI)
JUDGE

August 10, 2018
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