

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7470 of 2016

Date of Decision: 13.07.2018

Ghisu Ram

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.

Mr. Harish Rathee, Senior DAG Haryana.

RAJIV NARAIN RAINA, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India for quashing the order dated 04.03.2015 whereby the petitioner has been denied benefits at par to his junior respondent No.4 and for directing the respondents to regularize the services of the petitioner w.e.f. 01.08.1998 also on par with the junior respondent No.4.

The date claimed for regularization is in fact from 01.08.1998 when junior respondent No.4 of the petitioner and other persons junior to him, working in the Chandigarh depot of the Haryana Transport Department, were given benefits of service. The order dated 04.03.2015 Annex. P-5 passed by the General Manager, Haryana Roadways, Bhiwani is impugned which discloses that the petitioner had been recruited during the strike period i.e. from

13.12.1993 to 25.12.1993. He was appointed under the Scheme on 20.05.2004 on contractual basis. The services of the petitioner were regularized as per Haryana Government notification dated 04.08.2003 amended on 18.03.2004 and thereafter amended on 03.03.2011. The petitioner was not in service from 23.12.1993 to 19.05.2004 but the 4th respondent had worked in Chandigarh depot from period 20.05.1997 to 16.08.1997 and 16.06.1998 to 06.09.1999.

The employment was as a result of extraordinary situation of general strike in the Haryana Roadways in the month of December 1993 to provide bus service during the strike period. The petitioner and many others were engaged as drivers, conductors etc. on daily wage basis. After the services were dispensed with when the strike ended, the name of the petitioner and other employees engaged during the strike were kept in the list for future employment.

I find no reason to interfere in this matter and is accordingly dismissed.

(RAJIV NARAIN RAINA)
JUDGE

13.07.2018

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