

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP No.27595 of 2018  
Date of Decision: 29.10.2018

Chandi Ram

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present:-** Mr.Deepak Sonak, Advocate, for the petitioner.

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**RITU BAHRI, J. (ORAL)**

Petitioner is seeking direction to the respondents to consider his claim for regularization of his services under regularization policy dated 01.10.2003 (Annexure P-2) as similarly situated employees have been regularized vide orders dated 06.07.2019 and 07.09.2015 (Annexure P-7 and P-8).

The petitioner was engaged as labourer at Kalayat Nursury, District Kaithal on daily wages in the year 1995. His services have been terminated by the respondent No.3 without any rules and regulation. Thereafter, vide order dated 23.12.2006 passed by the Learned Labour Court, petitioners alongwith 20 employees have been reinstated with continuity of services and 50% back wages. Thereafter, vide order dated 06.07.2018 (Annexure P-8) and 07.09.2015 (Annexure P-8), services of 17 similarly situated employees as well as juniors to the petitioners have been regularized keeping in view the judgment passed by the Hon'ble Supreme Court in the case of Secretary, State of Karnataka and others Vs.Umadevi and others passed in Appeal (civil) 3595-3612 of 1999. Learned counsel for

Court in the case of Narender Kumar Tiwari Vs. The State of Jharkhand arising out of SLP (Civil) Nos.19832-19838 of 2017(Annexure P-3), in support of his contention. The grievance of the petitioner is that he may be regularized from the date when their juniors have been regularized with all consequential benefits as per Policy dated 01.10.2003 (Annexure P-2) and in terms of the order dated 06.07.2018 and 07.09.2015 (Annexures P-7 & P-8). Petitioner has sent his detailed legal notice (Annexure P-9) with his grievance to the respondents/Department but no action has been taken in this regard.

Notice of motion.

Mr.Kiran Pal Singh, AAG, Haryana, has appeared and accepts notice on behalf of respondent/State.

Without commenting upon the merits of the case, the present writ petition is disposed of by giving directions to the respondents/Authorities to look into the legal notice (Annexure P-9) of the petitioner and decide the same keeping in view the policy decision dated 01.10.2003 (Annexure P-2) and the judgments referred above within a period of 4 weeks from the date of receipt of a certified copy of this order.

(RITU BAHRI)  
JUDGE

29.10.2018  
anil

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |