

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 27885 of 2018
Decided on : 31.10.2018**

Mukkan alias Mookan

... Petitioner(s)

Versus

Union Territory, Chandigarh and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

PRESENT: Mr. Ishwar Lal, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Certiorari* for quashing of order dated 30th May, 2018 (Annexure P-2), passed by the Central Administrative Tribunal (in short 'the CAT'), Chandigarh Bench, Chandigarh, in OA No. 0060/00214/2016. Further, a writ of *Mandamus* has been sought for directing the respondents to correct the date of birth of the petitioner, as provided in the School Leaving Certificate, provided at the time of joining as daily wage Beldar. It has also been prayed that the respondents be directed to regularize the service of the petitioner in view of the settled law laid down by the Apex Court in the case of 'Dharam Pal Vs. Union of India', as the petitioner is working since 01.12.1985 without any break, whereas, the other similar daily wage workers have been regularized, in view of the policy framed by the UT, Chandigarh.

2. Learned counsel for the petitioner submitted that it was urged before the CAT that the services of the petitioner are required to be regularized, however, the said argument was not discussed in the impugned order. Therefore, he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the CAT by way of Miscellaneous Application/Review Application, in

accordance with law.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to him, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

October 31, 2018

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No