

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.28708 of 2018

Date of decision :15.11.2018

Ram Chander and others

.....Petitioners

versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashwani Verma, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

The petitioners are seeking benefit of regularization on Class IV posts in view of letter dated 17.10.2002 (Annexure P-5).

Notice of motion.

Ms. Palika Monga, Deputy Advocate General, Haryana, accepts notice on behalf of the official respondents.

In para 2 of the writ petition, the petitioners have given details of appointment, designation and place of posting. Their claim for regularization was rejected vide order dated 07.09.1999 (Annexure P-3) that they have not been recruited through employment exchange. Thereafter, they filed CWP-17014-1999 which was disposed of on 08.11.2001 by giving direction to the respondents to frame a rational policy with regard to regularization of the services of the employees, who are working for more than a decade. An SLP-18854-2002 against the said order was also dismissed by the Supreme Court vide order dated 03.01.2011 (Annexure P-4). However during the pendency of this SLP, the regularization policy was modified on 17.10.2002 (Annexure P-5) whereby the provision was made that those candidates who have completed 10 years of continued service, will be given preference for regular appointment against the

sanctioned post subject to the condition that their work is satisfactory.

The grievance of the petitioners is that now an advertisement has been issued on 25.08.2018 (Annexure P-7) for appointment of class IV employees. But the cases of the petitioners for regularization are not being considered despite the fact that they have worked for more than 16 years. A similar issue has already been decided by this Court in ***CWP-4928-2013 Prahlad and others V/s. State of Haryana and others***, decided on 12.02.2016 (Annexure P-10) and in which Sweepers were working since 1976 onwards and their services were regularized. An LPA-428-2017 against the said judgment was dismissed on 12.07.2017 (Annexure P-11). Recently this Court has given direction to the respondents in ***CWP-2009-2006 Balwinder Singh and others V/s. State of Haryana and others***, decided on 04.10.2018 to pass appropriate order of regularization since the law has finally been settled by the Supreme Court and Division Bench of this Court.

This petition is disposed of by giving direction to the respondents to pass appropriate orders within three months from the date of receipt of certified copy of this order and if no order is passed Rs.50,000/- will be deposited in the account of each petitioner.

15.11.2018

Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No