

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

CWP No. 29399-2018

Date of decision : 20.11.2018

Sh. Subhash

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mohit Rathee, Advocate
for the petitioner.

RITU BAHRI , J. (Oral)

Petitioner is seeking direction to the respondents to regularize his service, as per regularization policy dated 07.03.1996/18.03.1996.

Petitioner was appointed on daily wages on 01.06.1991 and his services were terminated on 01.12.2002 and the petitioner served demand notice dated 12.07.2004. Thereafter, he filed the reference petitioner before the learned Labour Court Rohtak and on 09.12.2011, it was held that the services of the petitioner has wrongly been terminated and he was held entitled to reinstatement of service with 50% back wages from the date of demand notice. Against this award, the department filed CWP NO. 13151-2012, which was dismissed on 20.07.2015

Learned counsel for the petitioners states that services of similarly situated Part Time employees who were junior to the petitioner had been regularized by respondent-department and thus, the department has to maintain parity in regularizing the employees, if they fulfill the

condition.

Notice of motion.

On the asking of the Court, Mr. Harish Rathee, DAG, Haryana, accepts notice on behalf of the respondent-State.

At this stage, present petition is being disposed of by giving direction to the respondents to consider the case of the petitioner and pass appropriate order regularizing his services in view of the direction given by this Court in *Balwinder Singh and others vs. State of Haryana and others*, CWP No.2009-2016 (decided on 04.10.2018). If the petitioner fulfill all the conditions of regularization policy, the respondent-department will not insist on the condition of education qualification existing for a permanent vacancy. This order be passed within a period of three months from the date of receipt of certified copy of this order.

(RITU BAHRI)
JUDGE

20.11.2018

G Arora

Whether speaking/reasoned
Whether reportable

Yes
No