

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

**Civil Writ Petition No. 6278 of 2017 (O&M)
Date of Decision: 26.04.2018**

Rajinder Kumar

..... Petitioner

Versus

Punjab School Education Board, SAS Nagar,
Mohali and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Arshdeep Kaur, Advocate
for the petitioner.

Mr. Ranjit Singh Kalra, Advocate
for the respondents.

JASWANT SINGH, J. (ORAL)

Petitioner (Rajinder Kumar) claims to have been appointed on 10.07.2008 (**Annexure P-1**) on Daily Wage Basis as 'Helper' and posted at Adarsh Senior Secondary School, managed by the Punjab School Education Board. He further claims, to have worked continuously and, a Mandamus for regularization of his services in terms of the Regularization Policy dated 18.03.2011 (**Annexure P-5**) framed by the Government.

It is urged that as per policy dated 18.03.2011 (**P-5**), the employees, if otherwise, appointed after adopting procedure and fulfilling the eligibility qualifications were to be regularized w.e.f. 01.04.2011 or on completion of three years' contractual service, whichever is later, and since the petitioner has completed three years of service, therefore, are entitled to regularization.

Upon notice, the respondents-Punjab School Education Board

has filed an application bearing **CM No. 6116 of 2018** praying for summary

dismissal of the petition, by stating that the policy dated 18.03.2011 **(P-5)** relates to contractual employees and not to the persons employed on Daily Wage Basis or Work Charge Basis, as is relevant in the present case. It is next asserted that there is another set of policy dated 18.03.2011 **(Annexure R-1/1)**, which governed the case of the employees, like the petitioner working on Daily Wage Basis, wherein the essential requirement was as under:-

“ (i) *The daily wager/work charged employees who have completed 10 years of service in December 2006, are to be appointed on regular basis and for the said purpose posts may be created and all the employees who are eligible and fulfill the criteria as per the rules/regulations governing the post, be appointed on the said post.* ”

It is submitted that in view of the aforesaid condition, the petitioner is not entitled for regularization in terms of the Regularization Policy issued in the year 2011, since concededly, the petitioner was engaged on Daily Wage Basis on 10.07.2008 **(P-1)** and thus, has not completed ten (10) years on Daily Wage Basis in December 2006.

After hearing counsel for the parties and scrutinizing the aforesaid documents/paper-book, this Court finds that the stand of the respondents is correct, and, therefore, the present petition deserves to be dismissed.

Dismissed.

April 26, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>