

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

**CWP No.8648 of 2018**

**Date of Decision:-03.05.2018**

**Kuldeep Singh & Ors.**

.....Petitioners.

**Versus**

**The State of Punjab & Ors.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH.**

**Present:- Mr. I.D. Singla, Advocate for the Petitioners.**

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**JASWANT SINGH, J.(ORAL)**

48 petitioners, who are working on different posts (detailed particulars have been mentioned in paragraph No. 2 from pages 19 to 22 of the paper book) are before this court seeking their regularization with effect from 10/04/2006, by claiming that they were wrongly regularised w.e.f. 24/05/2011 (Annexure P-3).

Learned Counsel for the petitioners has vehemently argued that in terms of the judgement passed by the Constitution Bench of Hon'ble Supreme Court in Uma Devi's case, the State Government had issued instructions on 15/12/2006 (Annexure P-1) to regularize the services of all those daily wage employees who have completed 10 years of continuous service as on 10/04/2006. However, despite the said instructions having been issued, the petitioners were regularized 5 years thereafter i.e vide order dated 24/05/2011 (P-3). It is the contention of the learned Counsel that withholding the regularization of petitioners for 5 long years is arbitrary and runs counter to the policy dated 15/12/2006 (P-1), as the petitioners had completed their 10 years of regular service at the time of issuance of the policy (P-1) itself. Thus, prayer has been made for regularization of their

services w.e.f. 10/04/2006.

I have heard learned counsel for the petitioners and have produced the paper book with his able assistance. However, I do not find any merit in the writ petition and the same deserves to be dismissed.

Admittedly, services of the petitioners have been regularized under the policy instructions dated 18/03/2011 (Annexure P-2) and they have been working as such on the posts concerned since their issuance of appointment letters as regular employees. The petitioners did not raise any grievance or agitate their claim at the said point of time seeking regularization w.e.f. 10/04/2006. After completion of 7 years of service as a regular employees, petitioners have approach this court making a belated claim of regularization w.e.f 10/04/2006. Much water has flown through and the claim of the petitioners cannot be entertained at this stage, especially when they are claiming on the basis of a cause of action which had accrued to them on 15.12.2006 i.e nearly 11 years prior to the filing of the writ petition. Thus, on the ground of delay and latches and finding the claim of the petitioners to be highly belated, the court has no hesitation in dismissing the present writ petition.

In view of the foregoing discussion, finding no merit in the present petition, the same is hereby dismissed.

( JASWANT SINGH )  
JUDGE

May 03, 2018  
Vinay

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |