

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

**LPA No.1129 of 2018
Date of decision: 28.09.2018**

Gurlal Singh and others

... Appellants

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. D.D. Bansal, Advocate for the appellants.

KRISHNA MURARI, C.J. (Oral)

Admittedly, the petitioners are working under the Sessions Judge of Bathinda and were appointed on ad hoc basis. They approached this Court by filing a writ petition bearing CWP No.10037 of 2018, seeking regularization of their services relying upon the provisions of "Punjab Ad hoc, Contractual, Daily Wage, Temporary, Work-Charged and Outsourced Employees' Welfare Act, 2016", published in official gazette on 24.12.2016.

Learned Single Judge vide impugned order non-suited them on the ground that they do not qualify the requisite condition under the said notification of having completed 3 years of continuous service on the date of issuance of the notification i.e. 24.12.2016. Admittedly, according to their own pleading the petitioners/appellants were not possessing necessary qualification prescribed under the said Act.

However, we are constrained to hold that the petitioners are not State Government employees, hence they are also not covered under the Act of 2016. Apart from above, since there is no scheme/rule in existence framed by the High Court for regularization of such employees as such petitioners in the absence of any statutory provision would not be entitled for their regularization.

In view of above, judgment of the learned Single Judge denying the petitioners' regularization even though for different reasons does not require any interference. The appeal accordingly fails and stands dismissed.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

28.09.2018
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO