

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 12929 of 2019
Date of Decision : 16.05.2019

Data Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. N.S. Choudhary, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

As per the facts mentioned in the present writ petition, the petitioner initially joined the respondents as a part time Water Kahar on 14.02.1997. He continued working as a part time Water Kahar till the year 2016, when his services were regularized vide letter dated 10.05.2016 (annexure P-9). Thereafter, on attaining the age of superannuation, petitioner retired from service on 30.11.2018.

The grievance of the petitioner in the present writ petition is that the petitioner should have been regularized as a Part Time Water Kahar in view of the Policy, which was issued in the year 2003 as the petitioner fulfilled all the requirement of the said Policy and relies upon the order passed by this court in CWP No. 5926 of 2001, decided on 20.02.2002, wherein, directions were given in the case of the similarly situated personnel to regularize their services.

Learned counsel for the petitioner states that the similarly situated personnel were regularized in the year 2004, whereas the benefit of regularization was extended to the petitioner under 2014 Policy and that too in May, 2016. Learned counsel for the petitioner prays that appropriate directions be given to the respondents for considering the case of the petitioner for regularization of his services with effect from the year 2002 when the similarly situated personnel were regularized.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 25.12.2018 (Annexure P-11) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 25.12.2018 (Annexure P-11) within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

May 16, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes*
Whether reportable? *No*