

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

**CWP No.13132 of 2018 (O&M)
Date of Decision.22.07.2019**

Chander Mal

...Petitioner

Vs

State of Haryana and others

..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Anand Bhardwaj, Advocate
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana

Mr. Anil Khurana, Advocate
for respondent No.3.

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AMIT RAWAL J. (ORAL)

The challenge in present writ petition is to impugn order dated 3.5.2018 (Annexure P-6) whereby contractual service (DC Rate) of petitioner as Sweeper has been terminated w.e.f. 03.05.2018.

As per facts pleaded in petition, petitioner was initially appointed as Sweeper on part time from 15.01.2004 and continued to work till 19.05.2006 and thereafter, engaged on daily basis. Petitioner is middle class and possesses educational qualifications for post of Sweeper and conduct of petitioner for 14 ½ years had been satisfactory. Respondent No.3 recommended four employees including petitioner for regularization but no action was taken qua petitioner. The termination order, instead of considering case of petitioner, is totally arbitrary and discriminatory and in derogation of order passed by this Court, as the petitioner fulfills requisite

qualification for regularization.

Mr. Khurana, learned counsel appearing for respondent No.3 submitted that petitioner was a contractual employee and working as part time Sweeper. Post of Sweeper was abolished vide letter dated 15.03.2007 and case was taken up to create a post of Sweeper but not approved by Director General, Higher Education.

Counsel for petitioner submitted that he has again been reinstated but his case for regularization has not been considered positively.

From contents of writ petition it is revealed that regularization of petitioner can be considered under Regularization Policy dated 18.06.2014, which is under challenge before Hon'ble Supreme Court of India. At this stage, there cannot be any direction issued with regard to regularization of petitioner.

Writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

July 22, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No