

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.31888 of 2019

DATE OF DECISION:25.11.2019

Darshan Kaur

... Petitioner

Versus

The Chief Engineer, KAD, Irrigation Works Punjab, Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjeev Roy, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance which is being raised in the present writ petition is that respondent No.4, who was junior to the petitioner in respect of the appointment on daily wage basis, was granted the benefit of regularization of her services in the year 1986 whereas the services of the petitioner were regularised on 31.12.1990.

The prayer of the petitioner is for regularization of her services from the date the services of his junior was regularized with consequential benefits.

The present writ petition is being filed after approximately 29 years of regularization of the services of the petitioner. The petitioner has already attained the age of superannuation and retired.

No reason is coming forward as to why the petitioner is claiming the

regularization of the services retrospectively after a period of 30

years. The delay is unexplained though the petitioner had submitted a representation in the year 2009 and legal notice in 2018.

Faced with this situation, counsel for the petitioner states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice dated 21.05.2018 (Anexure P-4) served by the petitioner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 21.05.2018 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 21.05.2018 (Annexure P-4), within a period of three months from the receipt of certified copy of this order.

It is made clear that in case the request of the petitioner is accepted, the petitioner will not be entitled for any monetary benefits on account of arrears till the filing of the present writ petition.

November 25, 2019

jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No