

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

**Contempt of Court Petition No.35 of 2020 (O&M)
Date of Decision: January 09, 2020**

Sanjay

.....PETITIONER(s).

VERSUS

S.N. Roy

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sat Narain Yadav, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Heard.

In writ petition bearing No.CWP-17206-2014, following
findings were recorded:-

“75. In view of our aforesaid discussions, we find that the policies dated 16.6.2014, 18.6.2014, 7.7.2014 (Group 'B') and 7.7.2014 (Group 'C' and Group 'D'), having been framed in violation of the law laid down by Hon'ble the Supreme Court deserve to be quashed. Ordered accordingly. Any benefit already granted to an employee shall be withdrawn as in terms of the order passed on 2.9.2016, this Court had already directed that regularisation orders, if any, passed earlier shall be subject to final outcome of the writ petition.

76. In some of the petitions, the contention raised by learned counsel for the petitioners was that they had been regularised in view of the order passed by

Hon'ble the Supreme Court or this Court even after the judgment in Umadevi (3) and others' case (supra), however, in the order reference has been made to the subsequent policies. The present judgment will not affect rights of those employees as they already have an order passed by the court in their favour.

77. As there are thousands of employees who had been appointed on ad-hoc/contract/work-charged/daily wages, to take care of the work being carried out by them in different departments, we direct that they be allowed to continue for a period of six months, during which the State shall ensure that regular posts, wherever required, are advertised and the process of selection is completed. Under no circumstances, any adhoc/contract/work-charged/daily wages employees shall be allowed to continue thereafter.

78. This Court cannot lose sight of the fact that even the employees to some extent may not be said to be at fault. They are swayed by the promises made to them or the assurances given, which may not be legally tenable. To take care of the fact that all such employees, who had been appointed on ad-hoc/contract/work-charged/daily wages may not suffer on account of they being over-age, it is directed that all such employees be given relaxation in age to the extent of the period they have worked continuously on ad-hoc/contract/work-charged/daily wage basis in the next process of selection, which is to be carried out in terms of the directions given by this court. The aforesaid relaxation shall be one time measure and not in any subsequent selection.

79. As we have already struck down the policies framed by the Government providing for regularisation of services of ad-hoc/contract/work-charged/daily wages employees, the writ petitions filed with a prayer for

direction to the respondents to regularise their services in terms of the conditions laid down in the policies are dismissed.”

That writ petition along with other connected petitions was ultimately dismissed on 31.05.2018.

Learned counsel for the petitioner could not point out as to which relief has been allowed to the petitioner and how the order passed in the writ petition No.CWP-17206-2014 has not been complied with.

No reason to take any further steps in this petition is made out.

Dismissed.

(SURINDER GUPTA)

January 09, 2020

JUDGE

Sachin M.

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No