

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

CWP-23289-2017
Date of decision: 17.01.2020

Parmil Kumar and another **...Petitioner(s)**

V/s.

State of Haryana and others **...Respondent(s)**

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Chander Pal Tiwana, Advocate
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

RITU BAHRI, J. (Oral).

The petitioners were appointed as Conductors through employment exchange on contractual basis in Haryana Roadways under General Manager, Charkhi Dadri. The services of the petitioners have been regularized w.e.f. 01.08.1998 vide order dated 25.08.1998 (Annexure P-2). By way of this writ petition, the petitioners are seeking regularization after completion of 240 days continuous service from the date of their initial appointment as per circular dated 19.02.1979 (Annexure P-3). The similarly situated employees were regularized after completion of two years service as per govt. instructions and order dated 18.05.2001 passed in **CWP No. 14111 of 2001** (Annexure P-4). The petitioners then filed **CWP No. 19133 of 2012** which was disposed of on 25.09.2012 (Annexure P-6) giving direction to respondent No. 3 to decide their representation dated 20.03.2012. However the case of the petitioners has been rejected vide order dated 04.01.2013 (Annexure P-7). Thereafter, the petitioners challenged this order by way of filing **CWP No. 3776 of 2013** which was dismissed on 09.03.2015 (Annexure P-8).

On notice of this petition, written statement has been filed on behalf of respondents No. 1 to 3. The stand taken by the respondents in the preliminary submissions is that writ petition seeking ante dating date of regularization has already been dismissed by this Court on 09.03.2015 (Annexure P-8). Further as per para 4 of the reply, the petitioners are claiming benefit of circular dated 19.02.1979 by which they have right to be regularized after completion of 240 days of continuous service. The circular dated 19.02.1979 was in the knowledge of the petitioners when they were initially regularized on 01.08.1998 vide order dated 25.08.1998 (Annexure P-2). The petitioners cannot claim parity now after such a long delay.

Hence, the writ petition is dismissed on the ground of delay itself.

17.01.2020
Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No