

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-28574-2017

Date of decision: 18.02.2020

Mehar Singh**...Petitioner(s)**

V/s.

State of Haryana and others**...Respondent(s)****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Satnam Sishodia, Advocate for
Mr. Ravinder Malik (Ravi), Advocate
for the petitioner.

Mr. Randhir Singh, Advocate for
State of Haryana.

RITU BAHRI, J. (Oral).

By this petition, the petitioner is seeking regularization of his services as Assistant Pump Operator/Water Pump Operator-II i.e. on class-III post in accordance with the regularization policies dated 07.03.1996 (Annexure P-2) and 18.03.1996 (Annexure P-3).

The petitioner was initially appointed as Water Pump Operator-II as daily wager on 01.01.1988. His services were ordered to be regularized on 31.03.1996 in view of the Government policy dated 27.05.1993. However the services of the petitioner had been regularized on the post of Beldar in Class-IV pay scale on which he had never worked.

The petitioner is seeking that he should be regularized on the post of Water Pump Operator-II as per policies dated 07.03.1996 (Annexure P-2) and 18.03.1996 (Annexure P-3) since the similarly situated petitioners who were earlier regularized on class IV posts have now been regularized as Water Pump Operator Class II as per the judgment passed by this Court in

Sanjeev Sharma and others V/s. State of Haryana and others, CWP-

15820-1998, decided on 17.11.2015 (Annexure P-19) in which reference had been made to the judgment passed by Division Bench of this Court in ***Abdul Kayyum and another V/s. State of Haryana and others, CWP-18974-1998*** (decided on 26.09.2000). Against the said judgment, ***LPA-1049-2016*** alongwith bunch of LPAs has been dismissed on 28.03.2017 (Annexure P-20).

Learned counsel for the petitioner informs that the judgments dated 17.11.2015 (Annexure P-19) and 28.03.2017 (Annexure P-20) passed by this Court have been complied with by respondent-State and services of the petitioners therein have been regularized w.e.f. 01.02.1996. However the SLP filed by State of Haryana is pending consideration.

Learned counsel for the State is not disputing about the compliance of the aforesaid judgments. His only argument is that SLP is still pending before the Hon'ble Supreme Court. However, no interim stay qua these judgments have been granted. Hence, this issue has attained finality.

Keeping in view detailed reasons given in ***CWP-12110-2003 titled Dilawar Singh V/s. State of Haryana and others***, decided on 17.02.2020, this writ petition is being allowed and the respondents are directed to regularize the services of petitioner w.e.f. 01.02.1996 as per instructions dated 07.03.1996 and 18.03.1996 (Annexures P-2 and P-3) alongwith all consequential benefits. This exercise be completed within three months from the date of receipt of certified copy of this order and compliance report thereof, be sent to this Court.

18.02.2020
Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

:
:

Yes/No
Yes/No