

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

CWP No.9652 of 2016 (O&M)
Date of decision 24.02.2020

Rajinder Kumar and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. Hitesh Pandit, Addl. A.G., Haryana.

Ritu Bahri, J.

Petitioners are seeking quashing of the order dated 05.08.2015 (Annexure P-8), whereby their claim for re-fixation of date of regularization has been rejected.

Vide order dated 31.03.1995 (Annexure P-2), services of Suraj Bhan were regularized as driver w.e.f. 01.04.1995. Learned counsel for the petitioners refers to the decision given by this Court in **Mohinder Singh and others vs. State of Haryana and others**, CWP No.22516 of 2012, decided on 01.04.2013 (Annexure P-3) and subsequent instructions dated 25.06.2014 (Annexure P-4) to contend that the petitioners should be given the benefit at par with those employees, who were appointed after 01.01.2003.

Upon notice, reply on behalf of respondent Nos.1 to 4 has been filed, wherein it has been clarified that services of the petitioners were

regularized, vide order dated 14.03.2001 (Annexure R-1), after completing two years of service, as per relevant regularization policy applicable in the Transport Department. A perusal of the order dated 14.03.2001 (Annexure R-1) shows that the contractual employees have been regularized keeping in view the instructions dated 23.03.1998 and 22.06.1998, after they have worked for two years.

Judgment passed by this Court in **Mohinder Singh's** case (supra) is not applicable to the case of present petitioners as they were initially appointed in the year 1993 and they cannot claim parity with those employees, who were appointed after 01.01.2003. In the reply filed by respondents, details of the petitioners, who were appointed during strike, have been given.

After going through the contents of the written statement, no case is made out to give benefit of the judgment passed in **Mohinder Singh's** case (supra) to the petitioners as they have been rightly regularized after completing two years of service as per order dated 14.03.2001 (Annexure R-1).

No merits. Dismissed.

24.02.2020
ajp

(RITU BAHRI)
JUDGE

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