

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

RA-CW-7-2021 (O&M) in/and
CWP-21353-2020 (O&M)
Date of decision : 05.02.2021

Jai Kanwar Dahiya and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Manoj Chahal, Advocate for the petitioners.

Mr. Samarth Sagar, Addl. A.G. Haryana.

ANIL KSHETARPAL, J. (ORAL)

RA-CW-7-2021 (O&M)

This is a review application filed on behalf of the petitioners for recalling the order dated 17.12.2020 passed by this Court.

The main writ petition was disposed of alongwith a bunch of writ petitions. Mr. Manoj Chahal, Advocate, for the petitioners has pointed out that this writ petition was wrongly tagged with the aforesaid Bunch.

Keeping in view the aforesaid facts, the order dated 17.12.2020 is recalled.

The review application is allowed.

With the consent of learned counsel for the petitioners, the main writ petition is taken on Board for hearing today itself.

Main case

The petitioners claim that they joined as Helpers on the daily wage basis somewhere in the year 1994-95. They claim that their services were

dispensed with, in the year 2000. However, the Labour Court directed their reinstatement.

Thereafter, the petitioners have filed CWP No.22866 and 22885 of 2011, seeking regularization, which were allowed. Consequently, the services of the petitioners were regularized on 09.12.2014 w.e.f. 01.05.2005. Thereafter, the petitioners were promoted as Assistant Mechanic on 04.04.2016 and then as Mechanic on 25.07.2018.

Now, through this writ petition, the petitioners claim that their services were required to be regularized w.e.f. 01.10.2003. Learned counsel submits that various other persons who were Juniors to the petitioners have been given ante date regularization.

Learned counsel for the petitioners was repeatedly requested to explain how the aforesaid persons were juniors to the petitioners, however, he failed to give any plausible answer.

As noticed above, the services of the petitioners were regularized in December, 2014. Thereafter, the petitioners were promoted on 2 different occasions, but did not make any grievance during that time.

Keeping in view the aforesaid facts, now at this stage in the year 2021, the claim of the petitioners is not only stale but also suffers from the unexplained delay and laches. Hence, the writ petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

05.02.2021

Pawan

(ANIL KSHETARPAL)
JUDGE

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