

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

CWP-9486-2021

Date of Decision: 25.10.2021

DINESH KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Anil Kumar Malik, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Grievance of the petitioner herein is qua regularization of his services w.e.f. 14.02.2000 instead of 01.03.1997, the administrative order qua which was passed way back in the year, 2007. The claim of the petitioner to seek regularization w.e.f. 1997 is ostensibly on the ground that similarly situated another employee, who was also initially appointed as Conductor along with petitioner in the year 1993 on contract basis and who too was terminated sometime in the year, 1999 *albeit* reinstated by virtue of Labour Court award, was regularized by giving the benefit of continuity of service, while the petitioner has been denied the similar benefit. The petitioner claims that owing to the denial of continuity of service, the similarly situated another employee i.e. Ramesh Kumar, who is otherwise junior to him in service, has been regularized w.e.f. the date prior to the regularization of the petitioner.

2. Having heard the arguments, no grounds to interfere are made out.

3. While the grievance of the petitioner qua his junior having been given a date of regularization prior to that of him may be genuine, however, the petitioner having acquiesced to date of his regularization, which was fixed and known to him way back in the year 2007, cannot, at this stage, reopen the case merely because the junior, who had been pursuing his cause throughout by way of pending proceedings in the Court, which eventually were decided in his favour by virtue of CWP-16027-2005, which too was decided way back in the year 2006, and in any case, does not, in any manner, improve the case of the petitioner qua the inordinate delay attributable to him in seeking the similar benefit. Ostensibly, the petitioner submitted certain representations in the year 2007 seeking parity with his junior, does not further his cause to seek any indulgence by this Court at this belated stage. On that ground alone, no grounds to interfere are made out.

4. Dismissed.

October 25 , 2021
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No