

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

CWP-9828-2021 (O&M)

Date of decision: 17.05.2021

Joginder Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. B.S. Dhillon, Advocate for the petitioners.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Petitioners Joginder Singh and 07 others working as part time Malis/Sweepers with Haryana Vidyut Prasaran Nigam Limited (for short 'HVPNL) under the supervision of Executive Engineer, T.S. Division, HVPNL, Kaithal under Transmission System Circle, HVPNL, Karnal have brought the instant civil writ petition under Articles 226/227 of the Constitution of India for issuance of directions to respondent No.3- Executive Engineer, Transmission System Division, HVPNL, Kaithal to sanction interest free advance of Rs.20,000/- for the purchase of wheat for their families during the year 2021-22 in view of instructions issued by Haryana Govt., vide letter No.46/1/2011/WM(6)/188 dated 16.04.2021 (Annexure P1) adopted by HVPNL. According to the petitioners, respondent No.3 has refused to sanction such interest free advance to them.

I have heard learned counsel for the petitioners besides going through the record and I find that the present writ petition is doomed for failure.

Firstly, in this case, the petitioners are aggrieved by non grant of interest free advance of Rs.20,000/- to them for the purpose of purchase of wheat on the basis of instructions (Annexure P-1). I do not find that any fundamental/legal right of the petitioners has been violated by such action of respondents, which might have called for interference by this Court by exercising writ jurisdiction.

Secondly, such instructions were to remain in operation upto 16.05.2021 and that date has since elapsed. Therefore, no reason is there to pass any order after expiry of the stipulated date.

Thirdly, as per policy of the Govt., the advance is not admissible to work charged, contractual and daily wages employees. The petitioners by their own admission are not regular employees but working on part time basis. Therefore, they are not eligible for grant of advance.

Fourthly, in the garb of filing the present writ petition, the petitioners want to get a declaration that they should be treated as regular employees and such type of declaration cannot be granted to them in these proceedings.

Accordingly, the writ petition is found to be without any merit and is dismissed accordingly.

17.05.2021

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No