

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**106****CWP No.21564 of 2020 (O&M)
Decided on:21.01.2021**

Shamsher and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIAPresent: Mr. S.K. Verma, Advocate
for the petitioners.

Mr. R.K.S. Brar, Additional AG, Haryana.

(The proceedings are being conducted through video
conferencing, as per instructions.)**G.S. Sandhawal, J. (Oral)**

The present writ petition has been filed under Article 226/227 of the Constitution of India seeking the regularization of services of the petitioners w.e.f. 01.04.2011 instead of regularization which has been granted to them between the year 2014 to 2018 as per the chart prepared in paragraph No.2 of the writ petition.

It is the case of the petitioners that they were appointed part time Class-IV employees on the posts of Water Carriers/Sweepers between the years 2002-03 and have been regularized between the years 2014 and 2018 vide orders dated 16.02.2018, 11.10.2018 and 20.07.2018 respectively (Annexure P-5 to P-7). It is further submitted by the counsel for the petitioners that vide letter dated 28.05.2019 (Annexure P-8) respondent No.2 had directed that the services of part time Class-IV

employees be regularized w.e.f. 01.04.2011. In view of CWP No.14131 of 2016 titled as **Mukesh Kumar and others Vs. State of Haryana**, decided on 10.01.2017, reference had been made to the communication dated 28.05.2019 (Annexure P-8) wherein a committee had been set up.

It is further submitted that legal notice dated 18.09.2020 (Annexure P-9) has also been served upon the respondents for the necessary relief. Counsel further submits that similar directions to decide the legal notice had also been issued in CWP No.18296 of 2014 titled as **Sanjay and others Vs. State of Haryana and others**, decided on 04.09.2014 (Annexure P-11) and necessary benefits have been granted.

Notice of motion.

Mr. R.K.S. Brar, Additional AG, Haryana, accepts notice on behalf of the State and he prays that soft copy of the writ petition be supplied to him. Counsel for the petitioners undertakes to supply the same during the course of the day.

Keeping in view the claim which has been made and since the decision making process is incomplete, no useful purpose would be served by calling upon the respondents to file the reply as it will only delay the proceedings. Thus without commenting upon the merits of the case, the present writ petition is disposed of with the direction to respondent No.2 to consider the legal notice dated 18.09.2020 (Annexure P-9) within a period of three months and keeping in view the contentions which have been raised by the counsel as noticed above.

In case, the petitioners are held entitled for the said benefits

the amount be disbursed to the petitioners within a period of 2 months thereafter and if there is any legal impediment a reasoned order be passed and conveyed to the petitioners.

The present writ petition is disposed of accordingly.

21.01.2021
Parveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No