

Sr. No.323

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

**CWP-13804-1996 (O&M)
Date of decision: 05.04.2022**

Banarsi Dass and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.K.S. Brar, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1996, *inter alia* seeking issuance of a writ in the nature of mandamus directing the respondents to regularize the services of the petitioners as Sawasth Sahayak in view of the Policy dated 07.05.1991 framed by the respondent authorities. Petition was admitted on 12.02.1998.

When called out for hearing, there is no representation on behalf of the petitioners. It seems that by sheer effluxion of time and pendency of the writ petition for more than 25 years before this Court, either it has been rendered infructuous or even otherwise the petitioners seem to have lost interest in pursuing the same.

In any case, it appears that even on merits claim of the petitioners is not admissible in view of the following stand taken in para 5 of the reply on merit, which is reproduced herein for ready reference:-

“5. That the para 5 of the writ petition is admitted except that the petitioners are not senior most in the seniority list. It is stated that the name shown in Annexure P-2 are junior in the seniority list maintained by the Civil Surgeon Rohtak according to the Policy dated 07.05.1991. The appointments have been given from Sr. No. 1 to 5 whereas the names of the petitioners exist from Sr. No.8 as the such persons stand at Sr. No.6 and 7 are senior from the petitioners, who have also not been given appointment so far. No regular post of Swasth Sahayak/Field worker is lying vacant in District Rohtak now in Malaria and General side. It is further stated that this policy dated 07.05.1991 is admissible to Malaria Staff side only not on General Side (Civil Surgeon side).

These petitioners were appointed only in spray season on 4½ months basis in Malaria Side.”

Be that as it may, writ petition is disposed of with liberty to the petitioners to file an appropriate application in case, any cause of action still survives.

Pending applications, if any, also stand disposed of.

05.04.2022

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No