

Rajinder

.....Petitioner

versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA****Present:** None for the petitioner.

Mr. R.D. Sharma, DAG Haryana.

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**ARUN MONGA, J. (ORAL)**

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus commanding the respondents to regularize the services of the petitioner as per policy dated 07.03.1996 read with subsequently modified policy dated 18.03.1996 (Annexure P-3), and further to grant all consequential benefits w.e.f. the date he was entitled to be regularized.

2. Petition was admitted for hearing on 28.09.2001.

3. When taken up for final adjudication, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, from perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may be had in particular to the stand taken in Paras-2 & 3 of reply on merits of the reply filed by respondents No.1 & 2.

5. Seeking dismissal of the petition, stated *inter alia* in the return is that the petitioner was engaged as a labourer. From the perusal of the attendance record of the petitioner, it appears that the petitioner did not work continuously and there were breaks in his duties. The petitioner did not thus fulfill the conditions as per the policy. Reliance on Annexure P-1 annexed with the petition by the petitioner is misplaced, as it is merely a seniority list of the labourers of Hansi Range, maintained from the date of engagement and the same does not depict that there is no break in the service.

6. The petitioner also did not fulfill the conditions as per the Haryana Government policy for regularizing DPIs. Therefore, his services could not be regularized at the relevant time. In light thereof, the representation of the petitioner for regularization of his services was accordingly decided by the respondents on 10.07.2000 (Annexure R-2).

7. Learned State counsel has canvassed arguments on similar lines as per the defense taken in the written statement.

8. I am in agreement with the stand taken by the respondents. Neither any replication has been filed to the afore-noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

9. In view of the aforesaid, no grounds are made out to interfere.

10. Dismissed.

**(ARUN MONGA)**  
**JUDGE**

**May 24, 2022**  
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No