

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

CWP No. 4038 of 2022 (O&M)

Date of decision: 16.08.2022

Kuldip Singh and others

..... Petitioners.

Versus

State of Punjab and others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Gaurav Sharma, Advocate, for the petitioners.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking a direction to the respondents to implement resolution No. 251 dated 31.12.2021 (Annexure P18) and treat them as regularized since the year 1994.

Learned counsel for the petitioners submits that the petitioners, who had been working for over 24 years, had been regularized in the year 2001, but they deserved to be regularized since the year 1994. He further submits that the petitioners had been appointed by due process after inviting applications from all eligible candidates and they ought to have been regularized from the date of their original appointment.

Heard.

The petitioners are seeking regularization of their services from the date of their original appointment, which is stated to be in the year 1993 and 1994. Their services had been regularized in the year 2001. The relief of regularization of services from the date of original appointment is being

claimed by the petitioners after a period of more than two decades of regularization of their services.

In response to a query of this Court as to whether any advertisement was issued at the time of original appointment, learned counsel for the petitioners submits that a communication was sent to the editor of the newspaper. He has referred to a copy of the communication at Annexure P26. However, there is nothing on record to indicate as to whether any advertisement was actually published in any newspaper. Therefore, in the absence of any material on record, it is difficult to come to the conclusion that the petitioners were appointed in accordance with Articles 14 and 16 of the Constitution of India. Their services have already been regularized. This petition filed after a period of more than two decades of regularization of their services cannot be entertained at this stage.

With regard to submission of learned counsel for the petitioners that a resolution had been passed by Nagar Panchayat/Notified Area Committee, Dirba (respondent No. 3) on 31.12.2021 for regularization of the services of the petitioners with effect from the date of their original appointment is concerned, I do not find any merit therein as the petitioners had been regularized since the year 2001 and now they have sought regularization of their services from the date of their initial appointment after a period of more than two decades. It was not open to the Nagar Panchayat/Notified Area Committee, Dirba (respondent No. 3) to reopen the case of regularization of the petitioners nearly after two decades. Therefore, I do not find any merit in this petition warranting interference by this Court while exercising writ jurisdiction.

Consequently, the petition stands dismissed.

Pending application(s), if any, shall also stand disposed of.

16.08.2022
Ramesh

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No