

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

Sr. No.570

CWP-14651-1999 (O&M)

Date of decision: May 18, 2022

Chander Bhan

...Petitioner

Versus

The State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.D. Sharma, Deputy Advocate General, Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1999, *inter alia*, for issuance of a writ in the nature of mandamus directing the respondents to regularize services of the petitioner w.e.f. 01.09.1987 with all consequential benefits on the ground that services of other Clerks, who were appointed on daily or *ad hoc* basis, were also regularized by the State.

2. Petition was admitted on 03.10.2001.

3. When called out for hearing, 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 22 years before this Court, it has been rendered infructuous and/or the petitioners seem to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in para No.2 of the preliminary objections of the written statement filed on behalf of respondents No.1 to 3, which is reproduced herein below for ready reference:

“2. That subsequently as per court orders in COCP No.401/1999 filed by Shri Hari Singh, Respondent No.4, the services of Sh. Hari Singh were regularized w.e.f. 1.1.91 instead of 14.2.93 vide order No.13/5-99 ME(1) dated 24.02.2000. So in view of the regularization of the services of Sh. Hari Singh w.e.f. 1.1.91, the case of the petitioner was reconsidered and after reconsidering the matter, now the services of the petitioner have been regularized w.e.f. 1.1.91 vide order No.13/48-88 ME(1) dated 3.10.2000 (Annexure R/1) from the date of the service of his junior Sh. Hari Singh were regularized. So in view of the facts mentioned above, as the services of the petitioner have already been regularized, there is no merits in the present

writ petition filed by the petitioner. Hence, the present writ petition is liable to be dismissed being infructuous.”

5. I am in agreement with the stand taken by the respondent-State as aforesaid. The same in any case has not been controverted either by way of replication or by way of any additional affidavit.
6. In view of the aforesaid, no ground for interference is made out. Petition is dismissed.
7. Since the main case has been decided, pending civil miscellaneous application, if any, also stands disposed of.

(ARUN MONGA)
JUDGE

May 18, 2022

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