

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

Sr. No.572

CWP-14690-1999 (O&M)

Date of decision: May 18, 2022

Nirmal Singh, Beldar

...Petitioner

Versus

The State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

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 certiorari setting aside order dated 11.06.1999 (Annexure P-5), whereby claim of the petitioner for regularization was rejected and seeking directions to the respondents to regularize services of the petitioner.

2. Petition was admitted on 14.11.2002.

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 Nos.2 & 4 of the written statement filed on behalf of respondents No.1 to 3, which are reproduced herein below for ready reference:

“2. That para No.2 of the civil writ petition is not admitted. The petitioner is not working continuously for the last 14 years as alleged in the petition. The details of the working of the petitioner is shown as per Annexure R-1. It is submitted that the speaking orders were passed vide Annexure P-5, in compliance of the orders passed by the Hon'ble High Court on dated 21.4.1999. Since, the petitioner is not fulfilling the conditions as per the Govt. policy, the orders Annexure P-5, were passed by the respondent which are not arbitrary, illegal, discriminatory against the records as well as against the Govt. instructions.

4. That para No.4 of the Civil Writ Petition is admitted being a matter of record. It is submitted that since the petitioner did not complete 240 days in the year 1994-95 and also having breaks more than a month in the years 1993-94 and 1994-95, therefore, the services of the petitioner has not been regularized."

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:
Whether reportable:

Yes/No
Yes/No