

Sr. No.645 (1st case)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-7087-2000 (O&M)
Date of decision: 23.05.2022

Amar Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to regularize the services of the petitioner with all consequential benefits.

2. Petition was admitted on 27.01.2003.

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 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, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in para 2 of the reply on merits, which is reproduced herein below for ready reference:-

“2. That in reply to para No.2 of petition, it is submitted that the petitioner was engaged as part time sweeper in Govt. Girls Middle School, Lajwana Kalan, though this school has been upgraded to Govt. Girls High School by the Haryana State Govt. w.e.f. 16.10.1999, on 01.08.1984 on the rates fixed by the Deputy Commissioner, Jind from time to time. The whole of the wages of the petitioner have already been paid to him. However, it is submitted that in view of the instructions issued vide No.7/34-99-Budget (3) dated 21.03.2000 by the Director Secondary Education, Haryana, the services of the petitioner were no longer required w.e.f. 01.04.2000. But later on the

Director, Secondary Education Haryana vide memo No.13/20-99 Budget (6) 1804-2000 dated Nil ordered to allow the part time sweepers in the High Schools in future and as such the petitioner has been allowed to work w.e.f. 01.07.2K as Part Time Sweeper.

It is, further submitted that since the petitioner is working as Part time Sweeper in the Govt. Girls High School, Lajwana Kalan for a specific period per day, he is at liberty to do other work as per his desire.”

5. I am in agreement with the stand taken by the respondents as aforesaid. 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.

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

7. Dismissed.

23.05.2022

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No