

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

212

CWP-23867-2014 (O&M)  
Date of Decision :22.08.2022

Balwan Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nikhil Vats, Advocate for the petitioner.

Mr. R.S. Budhwar, Addl. A.G. Haryana.

\* \* \*

Harsimran Singh Sethi, J. (Oral)

CM Nos.17796 & 5721-CWP-2018

As prayed for, applications are allowed.

CWP-23867-2014

In the present writ petition, the grievance of the petitioner is that the petitioner was working with the respondents starting from year 1988 on part time basis on Class-IV post of Sweeper-cum-Chowkidar and while the petitioner was in service, various regularization policies have been framed by the respondents including policies dated 30.12.1998 and 25.02.1999, by which, the services of the various part time employees were regularized by the respondents. Learned counsel for the petitioner argues that though, the petitioner was available and eligible under the said policies, but, the benefit was not extended to him by the respondents and that too without any valid justification.

Learned counsel for the petitioner submits that ultimately the

services of the petitioner were regularized by the respondents on 08.05.2012.

Learned counsel for the petitioner further submits that some of the similarly situated employees approached this Court claiming the benefit of regularization from the year 1999 onwards, which benefit was granted to them by this Court while passing order in civil writ petition filed by them, which decision has been implemented by the respondents vide orders dated 01.07.2014 and 20.12.2014 (Annexures P/11 and P/12) respectively.

Learned counsel for the petitioner argues that as the employees whose service have been regularized from 1999 by the respondents were juniors to the petitioner, the petitioner is also entitled for the grant of regularization from the date his juniors were granted the said benefit by the respondents.

Learned State counsel submits that orders dated 01.07.2014 and 20.12.2014 (Annexures P/11 and P/12) passed by the respondents, have been placed on record by the petitioner by way of replication but as per his instructions, no employee, who is junior to the petitioner, has been regularized keeping in view the seniority which has been framed by the department. Learned State counsel very fairly submits that keeping in view orders dated 01.07.2014 and 20.12.2014 (Annexures P/11 and P/12) passed by the respondents, by which, the services of certain part time Class-IV employees have been regularized from 1999, the claim of the petitioner will also be considered in terms of the said order and in case it is found that any junior employee to the petitioner has been regularized from 1999, the benefit of regularization of the service will also be extended to the petitioner from the date his junior was regularized.

Learned counsel for the petitioner submits that keeping in view the statement made by the learned State counsel that the case of the petitioner will be considered by the respondents in terms of orders dated 01.07.2014 and 20.12.2014 (Annexures P/11 and P/12) passed by the respondents, by which, services of various part time class-IV employees were regularized from 1999, the present petition may kindly be disposed off having been not pressed any further but prays that the respondents be directed to consider the claim of the petitioner in a time bound manner.

Learned State counsel submits that the claim of the petitioner will be finalized within a period of two months from the date of receipt of copy of this order.

Keeping in view the above, the present writ petition is disposed off having been not pressed any further.

**August 22, 2022**  
*aarti*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*