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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23322-2016
Date of decision: 11.05.2022

DHARAMVEER & ORS

...Petitioners

VERSUS

STATE OF PUNJAB & ORS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P. S. Jammu, Advocate for the petitioners.

Mr. Pankaj Gupta, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India seeking issuance of an appropriate writ, order or direction in the nature of certiorari for setting aside the impugned orders dated 01.10.2015 (Annexure P-10) and dated 13.02.2015 (Annexure P-11), vide which the claim of the petitioners for regularization of their services stands rejected.

Learned counsel for the petitioners herein would submit that petitioner Nos.1, 2, 3 and 5, who had filed the instant petition seeking regularization of their services have been given necessary relief and therefore, writ petition qua them stands rendered as infructuous. However, the department had failed to regularize the services of petitioner No.4-Mithu Singh on account of the fact that his service record did not tally with his educational record as produced by him. He submits that in fact his educational certificates reflected his name as Mehar Singh @ Mithu Singh.

He further submits that the concerned Senior Superintendent of Police, has conducted an inquiry and has come to the conclusion that Mehar Singh @ Mithu Singh is the same person as Mithu Singh-petitioner No.4 in the instant writ petition and his service record stands corrected as on date.

Learned counsel for the petitioners submits that since Mithu Singh-petitioner No.4 and Mehar Singh @ Mithu Singh are one and the same person, he should also be given the benefit of regularization as has been accorded to the other four petitioners.

Learned State counsel very fairly submits that it is only on account of the discrepancy in the name of the petitioner, that the benefit of regularization was not given to petitioner No.4, as has been allowed to the other petitioners. In view of the fact that the service record of petitioner No.4 stands corrected and there has been an inquiry, which is in his favour, his case will be re-considered for regularization expeditiously.

In view of the very fair statement given, the present petition is disposed of qua petitioner Nos.1, 2, 3 and 5 as having rendered infructuous. While disposing of the said writ petition qua petitioner Nos.1, 2, 3 and 5, a direction is hereby given to the respondents to re-consider the case of petitioner No.4-Mithu Singh, in terms of his service record and the benefit that has already been allowed to the other co-petitioners. Let an exercise be done expeditiously preferably within a period of three months from the date of receipt of the certified copy of this order.

11.05.2022

Chetan Thakur

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes/No
Yes/No