

In the High Court of Punjab and Haryana at Chandigarh

102+206

CWP-7044-2016 (O & M)

Date of Decision: August 26, 2022

SITA DEVI

.....PETITIONER

VERSUS

**UTTAR HARYANA BIJLI VITRAN
NIGAM & ORS**

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Shrey Goel, Advocate for the petitioner.

Ms. Tanyaa Kaushik, Advocate for
Mr. C. S. Bakshi, Advocate for the respondents.

ANUPINDER SINGH GREWAL, J (ORAL)

CM-3678-2020

This application is for placing on record the reply to the affidavit.

Application is allowed as prayed for.

Main Case.

The petitioner is seeking a direction to the respondents to allow the petitioner to join her duty and to regularize her services.

Learned counsel for the petitioner submits that the petitioner had been appointed as a part time sweeper on 01.06.1992 and had continued to work till 2007 in the office of SDO, UHBVNL, Kaithal and from 2007 to 2010 in the office of SDO, UHBVNL, Jind. He submits that in terms of the policy dated 08.08.2003, the petitioner is entitled to regularization of her services as she has completed 10 years of continuous service and there is no specific break in service. He has relied upon the judgment of the Division Bench of this

Court in LPA No.1316-2018 titled as **Haryana Vidyut Parsaran Nigam Ltd. and others versus Madan Lal and others**, decided on 12.07.2022.

Learned counsel for the respondents while referring to the written statement submits that the petitioner had not put in 10 years of continuous service. She was working as a part time sweeper and there were several breaks in her service. She had left the job in 2005 and thereafter she had left the job in 2010 and this petition has been preferred in the year 2016.

Heard.

The petitioner is stated to have been working as a part time sweeper with the respondents. The respondents in the reply have categorically stated that there were several breaks in the service and the petitioner had left service in the year 2010. There is no rejoinder to the averment that the petitioner had left service in the year 2010 and the instant petition has been filed in the year 2016.

The judgment in the case of **Haryana Vidyut Parsaran Nigam Ltd.** (supra) relied upon by the counsel for the petitioner is distinguishable on facts and not applicable in the instant case as the petitioners therein were in service when they preferred the petition while the petitioner in the instant case is seeking regularization after 06 years of having left service.

In view of the above especially when this petition has been filed 06 years after the petitioner had left the job, I do not find any merit in this petition.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

August 26, 2022

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No