

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

106+258

**CWP-32250-2019 (O&M)
DATE OF DECISION: 20.09.2022**

RAMZAAN KHAN AND OTHERS

... Petitioner(s)

Versus

PUNJABI UNIVERSITY PATIALA AND OTHERS .. Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mrs. Anupam Bhanot, Advocate for the applicant/petitioner(s).

Mr. Gaurav Kalsi, Advocate for the respondents.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking directions to the respondents for regularization of the service and to consider the cases for promotion.

Learned counsel for the petitioners submits that the petitioners are employed as daily wagers and are posted as Beldar/Helper Beldar/Mason/Helper Plumber. She also submits that the petitioners would be entitled to regularization in terms of the decision taken by the Stagnation Committee in the year 2011.

Learned counsel for the respondents, while referring to the reply, submits that services of the petitioners have been regularized by the order dated 12.06.2007, 13.08.2019 and 16.03.2000. These orders have been conveyed to the petitioners. He further submits that the decision of the Syndicate would not be applicable to the case of the petitioners as the petitioners would be considered for promotion in their respective cadres on the basis of availability of posts.

Heard.

The petitioners had been appointed as daily wagers. Their services have been regularized. Therefore the first prayer has been satisfied. In response to the averment for their promotion, the respondents have stated that the petitioners would be considered for promotion in their respective cadres on the availability of posts. The petitioner has not cited any instance where a similarly situated person has been promoted. The Syndicate meeting held on 25.11.2014 indicates that re-designation of the employees would be done but no post would be created and this is being done as a personal measure. It is not forthcoming as to whether this decision would be applicable to the trade of the petitioners. The respondents have not spelt out in clear terms as to how this meeting would not be applicable to the petitioners.

In view of the above, it is apparent that the first prayer of the petitioner has been satisfied and the petition to that extent has been rendered infructuous. With regard to the claim of the petitioner for promotion the petitioner would be at liberty to file a representation to the respondents and respondent No.2 shall consider and decide the same by passing a speaking order in accordance with law.

Pending civil miscellaneous application, if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

20.09.2022
SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No