

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(121)

CWP No. 27344 of 2022

Date of Decision : 30.11.2022

Smt. Kanta Devi

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mohit Rathee, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that benefit of regularization policy issued by the respondents on 01.10.2003 (Annexure P-1) has not been extended to the petitioner on the ground that petitioner was not in service on the said date, which was one of the requirement of the said policy. Learned counsel for the petitioner submits that services of the petitioner, who were appointed in the year 1998, were terminated in the year 2000 but the said order was set-aside by the Labour Court, Rohtak vide Award dated 07.09.2005 (Annexure P-2) and the petitioner was reinstated in service with continuity but with 50% of back wages, therefore, petitioner is deemed to be in service as on 30.09.2003 so as to grant the benefit of regularization policy dated 01.10.2003 (Annexure P-1) hence, the respondents are liable to be directed to grant the benefit of regularization policy dated 01.10.2003 so as to regularize the services of the petitioner

under the said policy.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 18.10.2022 (Annexure P-4) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 18.10.2022 (Annexure P-4) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondent No. 2 is directed to decide the legal notice dated 18.10.2022 (Annexure P-4), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

November 30, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No