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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-657-2023

Date of decision: 25.05.2023

JITENDER AND OTHERS

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. U. K. Agnihotri, Advocate
for the petitioners.

Mr. Anant Kataria, DAG, Haryana.

Mr. Ashish Gupta, Advocate for
Mr. Prateek Mahajan, Advocate
for respondent No.3.

JAISHREE THAKUR, J. (Oral)

1. The instant writ petition has been filed by the petitioners, who are working as Sweepers against vacant sanctioned posts on contract basis with respondent No.3-Municipal Corporation, Panchkula and are seeking regularization on the said posts.

2. Learned counsel for the petitioners would submit that the petitioners have been working as Sweepers against the sanctioned posts with Municipal Corporation, Panchkula from 2004 onwards. They seek the benefit of regularization. He would submit that in similar circumstances, persons who had also been appointed against the sanctioned posts sought regularization and had

approached this Court by way of filing *CWP No.25780 of 2022*, titled as *Karamvir and others versus State of Haryana and others*, decided on 14.11.2022. The said writ petition was disposed of with a direction to the authorities concerned to consider and decide the claim of the petitioners therein for regularization.

3. Pursuant to the orders passed in the aforesaid writ petition, a speaking order has been passed by the Municipal Corporation, Panchkula dated 15.02.2023. The claim of the petitioners therein for regularization has not been acceded to on the ground that there is no policy to regularize the employees and as and when the Government will frame any policy to regularize the services of such employees, necessary action will be taken thereafter.

4. Learned counsel for the petitioners prays for a similar order i.e. for the claim of the petitioners herein to be considered as and when there is any policy to that effect.

5. Notice of motion.

6. Mr. Anant Kataria, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents No.1 and 2. Mr. Ashish Gupta, Advocate appearing on behalf of Mr. Prateek Mahajan, Advocate, who is also present in Court, accepts notice on behalf of respondent No.3.

7. Learned counsel for respondent No.3 would submit that the petitioners, who are working with the Municipal Corporation, Panchkula are seeking regularization at the moment, when their claim cannot be considered. He would submit that as on date, there is no regularization policy for the petitioners, which would benefit them at the present moment. However, as and

when there is a policy, the petitioners are at liberty to apply under the said policy and their claim would be considered in accordance with law.

8. I have heard learned counsel for the parties and have also perused the pleadings of the case.

9. In view of the very fair statement given on behalf of learned counsel for respondent No.3 that in case there is any policy for regularization of the services of the petitioners and the petitioners apply under the said policy, their claim would be considered, the instant writ petition stands disposed of.

25.05.2023
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No