

CWP-1326-2023

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-1326-2023

Date of decision:06.02.2023

Dharambir Singh

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bishan Dass Rana, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

In the present petition, the petitioner is seeking the benefit of regularization and decision making on the legal notice dated 02.09.2022 (Annexure P-8).

Learned counsel for the petitioner contends that the petitioner has been working as a Peon being Class-IV employee on part-time basis, since 28.08.2003; and that the instructions dated 11.11.2003 and 27.02.2004 issued by the Haryana Government, specifically provide that the part time Class-IV employees, who have completed six years service continuously, have to be regularized and the Class-IV employees who have completed three years on part time basis against regular posts, will be regularized. Learned counsel further contends that similarly situated employees have been regularized in view of the instructions dated 11.11.2003 and 27.02.2004. In support of his contentions, learned counsel relies upon the judgment dated 20.02.2002 passed by a Division Bench of

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this Court in CWP-5926-2001, titled as 'Vidya Devi and others Vs. State of Haryana and others', and the order dated 16.12.2022 passed by a Coordinate Bench in CWP-20909-2017, titled as 'Dharampal Vs. State of Haryana and others'.

Learned counsel for the petitioner further submits that the petitioner had already raised the said grievance before the respondents by way of legal notice dated 02.09.2022 (Annexure P-8), which is still pending consideration and the petitioner will be satisfied in case a time bound direction is issued to the competent authority to decide the said legal notice.

Notice of motion.

On the asking of this Court, Mr. R.S.Budhwar, Addl. A.G. Haryana, accepts notice on behalf of the respondents-State and raises no objection in deciding the legal notice dated 02.09.2022 (Annexure P-8) in a time bound manner by passing an appropriate speaking order.

In view of the request made by the learned counsel for the petitioner during the course of hearing, but without expressing any opinion on the merits of the case, the competent authority is directed to decide the legal notice dated 02.09.2022 (Annexure P-8) by passing a speaking order, within a period of six months from the date of receipt of copy of this order.

Disposed of.

06.02.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No