

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

COCP-622-2019 (O&M)

Date of decision: 01.03.2023

Ashwani Kumar and Anr

....Petitioners

Versus

Yudhvir Singh Malik and Ors

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.R. Sharma, Advocate
for the petitioners.

Ms. Aakanksha Sawhney, Addl. Standing Counsel
for U.T. Chandigarh.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner alleges violation of the order dated 28.11.2018 vide which while allowing the writ petition, it was observed, as under:-

“Petitioner no.2 is working as Peon since 29.01.2001. It presupposes that work is perennial in nature. He has worked for more than 15 years. The Chandigarh Administration cannot be permitted to extract the work from the workman for 15 years and then not to regularise him. He was also not permitted to work after 15 years without regularising him.

Accordingly the writ petition no. 17375 of 2018 is allowed. The respondents are directed to absorb petitioner no.1 against the post of Clerk within 4 weeks. The termination of petitioner no.2 is set aside and he would be deemed to have been regularised as Peon by moulding the relief, but without back wages. Consequently the writ petition no.6821 of 2016 preferred by the Central Administrative Tribunal, Chandigarh is dismissed.”

Counsel appearing for the U.T., Chandigarh, has placed on record the joining report of petitioner No.1 on the post of Clerk and

petitioner No.2 on the post of Peon in the State Transport Authority,
U.T., Chandigarh.

In view of the above, no willful disobedience is made out
as the petitioners have been offered the job.

Dismissed.

However, liberty is granted to the petitioners to avail the
alternative remedy in accordance with law, for redressal of their
grievances, if any.

(ARVIND SINGH SANGWAN)
JUDGE

01.03.2023
yakub

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