

CWP No.3530 of 2020

MANOJ KUMAR
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2022:PHHC:110379
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3530 of 2020
Date of decision : 16.08.2023

Sonu

....Petitioner

Versus

State of Haryana and Ors.

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Ms. Shanika Khurmi, Advocate for
Mr. Manish Soni, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed by the petitioner seeking benefit of regularization of his services under 2014 Policy.

Learned counsel for the respondent submits that vide order passed by Division Bench of this Court in *CWP No.17206 of 2014 titled Yogesh Tyagi and Anr vs. State of Haryana and Others*, which is being relied upon for seeking regularization, regularization policy has already been struck down and therefore, the relief being claimed by the petitioner is liable to be rejected.

Learned counsel for the petitioner submits that though the Division Bench has set aside the said regularization policy but the matter is pending consideration before the Hon'ble Supreme Court and there is a possibility that the said benefit under the said policy may be revived.

I have heard learned counsel for the parties and perused the record with their able assistance.

It is apparent that the regularization policy dated 18.06.2014 stands quashed by this Court. Though the judgment dated 31.05.2018 passed in CWP No.17206 of 2014 is pending consideration before Hon'ble Supreme Court, the petitioner's right can be protected by holding that after the decision of Supreme Court, if any right accrues to the petitioner so as to seek regularization under 2014 Policy, the petitioner will be at liberty to revive the present petition by filing an application or can file a fresh petition on the same cause of action.

Ordered accordingly.

At this stage, learned counsel for the petitioner submits that for certain period, the petitioner has not been paid salaries.

In this regard, the petitioner would make representation to the respondents raising all the grievances by mentioning the period for which his salary is due and the respondents are directed to pass a speaking order on the said representation within a period of eight weeks from the receipt of such representation and in case after passing of the speaking order on the representation, if any amount accrues to be paid to the petitioner, the same will be paid to him within a period of further four weeks.

With the above terms, petition stand disposed of.

August 16, 2023
manoj

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable :	Yes