

2023:PHHC:093390

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222

CWP-6276-2019 (O&M)

Date of Decision:24.07.2023

Subhash Chand

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. K.S. Banyana, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

HARSIMRAN SINGH SETHI J.(Oral)

1. The present petition has been filed claiming regularization of services under the policy dated 29.07.2011, copy of which has been appended at Annexure P-1. The only objection which has been taken by the respondent-State is that the petitioner was not recommended by the employment exchange and there is no record that the petitioner appeared before the selection committee when he was recruited on a part time basis hence, the claim of the petitioner could not be considered for regularization of his service as the petitioner was not able to give the requisite documents proving that name of the petitioner was recommended by the employment exchange.

2. Learned counsel for the petitioner submits that the petitioner had got certain documents under the Right to Information Act which have been appended with the application filed and as per Annexure P-6, the name of the petitioner was duly recommended by the employment exchange before he was appointed and hence the respondents are under an obligation to consider the

name of the petitioner for regularization of his service under the policy dated 29.07.2011 (Annexure P-1). Learned State counsel submits that though certain documents have been attached but none has been presented before the authorities concerned, hence, the benefit of the said documents could not be given.

3. I have heard learned counsel for the parties and have gone through the record with their able assistance.

4. Once the petitioner has been given certain documents showing the proof that the name of the petitioner was recommended by the employment exchange, a copy of which has been appended at Annexure P-6 as well as the dispatch register and copy of same has been appended at Annexure P-8, the respondents are under obligation to re-consider the claim of the petitioner as to whether in the facts and circumstances of the present case, the petitioner is entitled for the regularization of the service or not, by taking into consideration Annexures P-6 and P-8 appended with the petition and have already been supplied in the respondent department. Let the respondents/competent authority pass a fresh order as to whether, the petitioner is entitled for regularization of his service keeping in view the terms and conditions of the regularization policy dated 29.07.2011 by taking into consideration Annexures P-6 and P-8..

5. Let the said order be passed within a period of two months from the receipt of copy of this order and in case, after the passing of the speaking order, the petitioner is found entitled for any other relief, the same be also extended to the petitioner within a further period of four weeks.

6. Disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

24.07.2023
shweta

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