

RA-CW-115-2019 in CWP-11472-2016

Ashok Chhiber
Vs
Haryana Power Generation Corporation Ltd.

Present:- Mr. R.P. Singh Ahluwalia, Advocate,
for the applicant-petitioner.

Mr. Abhilaksh Grover, Advocate,
for the respondents.

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The petitioner by way of the present application prays for recalling the order dated 24.01.2019 passed by this Court on the ground that his case could not have been dismissed on the ground of delay and laches.

Apart from this ground, a perusal of the impugned order dated 08.04.2016 under challenge in the writ petition shows the details of services in a tabulated form at pages 54 and 55 of the paper book which were rendered by the petitioner, Sham Lal, Murli Manohar, Ramesh Chand and Narrotam Dutt. Thereafter, Sham Lal had appeared before the screening committee, but he was not selected and some juniors were selected and he challenged the same by way of filing a civil suit which was decided on 05.03.1994. Thereafter, again a screening committee was constituted and based on the report of the screening committee, services of Sham Lal were regularized w.e.f. 1986.

The cases of Murli Manohar and Ramesh Chand are on identical facts.

In the case of the petitioner, he had made a request on 07.02.2014 for considering his request for regularization w.e.f. 1986 and thereafter pursuant to the directions given by this Court in CWP-20489-2013, his matter was again examined and it was decided that he could not claim parity with Narrotam Dutt, Ramesh Chand and Sham Lal as they had been issued appointment to the post of Fitter on the date of selection on the recommendation of the screening committee during 1986 and 1989. The case of the petitioner was recommended for regularization as Fitter on 09.10.1989. Murli Manohar was engaged as Fitter on work-charge basis in 1980 which was a higher post than T/mate i.e. the post on which the petitioner was engaged and hence he could not claim parity with Murli Manohar.

A perusal of the order further shows that the petitioner had initially made a representation dated 09.04.2012 (Annexure P-6) as observed in the order at page 54 of the paper book. His first representation was in the year 2012 and the benefit was given to the other employees in the year 2006.

No ground, therefore, is made out for recalling the order dated 24.01.2019.

The application, accordingly, stands dismissed.

(RITU BAHRI)
ACTING CHIEF JUSTICE

24.11.2023

Amodh Sharma