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2023:PHHC:060729

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

**CWP-10340-2019
Date of decision:23.03.2023**

SHAMSHER SINGH

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bhupinder Ghanghas, Advocate
for the petitioner.

Mr. Rohit Arya, D.A.G., Haryana.

Prayer in the present writ petition under Article 226/227 of the Constitution for issuance of writ in the nature of certiorari for quashing the impugned order/condition dated 11.03.2019 by which the services of the petitioner were not regularized with a further prayer for directing the respondents to consider the claim of the petitioner for regularization of their services as Class-IV employees.

Learned counsel for the petitioner states that the petitioner was appointed as part time basis in the respondent department on the post of sweeper on 08.11.1997 through direct recruitment (Annexure P-1). The department has framed the policy dated 30.12.1998/25.02.1999 for regularization the services of the Class-IV part time employees, that the respondents did not regularize the services of the petitioner in compliance to the aforesaid policy. Thereafter, similar situated employees approached this Court by way of filing the writ petition No.5926 of 2001 titled as Vidhya Devi and others Vs. State of Haryana, which was disposed of on 20.02.2022, by giving the directions to the State to regularize the services of the petitioner therein. Even the Special Leave Petition filed against the

said order was dismissed by Hon’ble Supreme Court on 22.03.2010. It is further submitted that the petitioner is still working as contractual employee.

Learned State counsel submits that the claim of the petitioner has already been rejected on the basis of educational qualification as the petitioner did not possess the essential qualification and he is illiterate. He further submits that if the petitioner submits a fresh representation to the concerned authorities, the same can be considered as per law.

I have heard the learned counsel for the parties.

With no objection from the learned counsel for the petitioner the present petition is disposed of with a liberty to the petitioner to file the fresh representation within a period of one month from the date of receipt of this certified order. On his doing so, respondent No.3 District Education Officer, Bhiwani is directed to decide the said representation within a period 08 weeks thereafter, by passing a speaking order in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

23.03.2023
M.Sikka

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