

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

206

CWP-10388-2015

Date of Decision: 25.07.2023

Gurcharan Singh

.... Petitioner

Versus

The Secretary, Department of Wild Life & Forest
and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMAPresent: Mr. Pushpinder Kaushal, Advocate
for the petitioner.

Mr. D.K. Singal, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 31.10.2014 (Annexure P-4), whereby, the claim of the petitioner for regularization of his service as 'Baildar', has been rejected.

2. The petitioner claims regularization on the basis of his long period of service rendered with the respondents. He has placed on record the documents to show that the petitioner was working since 1996 regularly with the respondents as a daily wager Baildar. However, the respondents in their reply, have denied the facts as stated by the petitioner and have submitted that the petitioner actually worked from 2000 onwards and not from 1996 and therefore, he does not complete 10 years of service as required for the purpose of regularization as on 2006.

3. Disputed questions of fact cannot be examined in a writ

jurisdiction while exercising writ jurisdiction by this Court. However, the petitioner is always free to raise the industrial disputes with regard to his complete length of service or the other legal remedies which may be available to him and claim regularization accordingly.

4. If the petitioner raises a dispute before the concerned authority, the same shall be entertained directly and decided the same expeditiously and preferably, within a period of one year from today.

5. With these observations, the writ petition is disposed of.

25.07.2023

D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

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