

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

101

**CWP-11594-2014 (O&M)
Date of decision: 21.02.2023**

NIRMLA

..Petitioner

Versus

STATE OF PUNJAB & ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Gupta, Advocate
for the petitioner.

Mr. R.S. Pandher, Sr. DAG, Punjab

ANIL KSHETARPAL, J(Oral)

1. The petitioner is reported to have died. She was employed as a part time sweeper at the Government Senior Secondary School, Lakhpur, District Kapurthala on 01.08.1995. She prays for the issuance of a writ in the nature of mandamus to regularize her services with effect from 30.10.2012, as per the policy of the State Government.

2. In the counter affidavit, the respondents have disclosed that the petitioner's case was considered, however, her name was at Sr. No. 224 in the priority list of the Part-Time Workers maintained at the District level, whereas the services of only those Part-Time Workers upto Sr. No.151 in the merit list were regularised.

3. The learned counsel representing the petitioner contends that the petitioner served the department for more than 25 years. Hence, the court should pass some order in her favour.

4. This court has considered and analyzed the submissions of the learned counsel representing the petitioner.

5. Undoubtedly, it is not appropriate for the Government to employ the workmen for such a long time on part time/daily wages. However, this aspect is required to be considered by the government, who is expected by the public to be a model employer.

6. In exercise of the writ jurisdiction, this court does not find it appropriate to issue a writ of mandamus particularly in view of the judgment passed by the Supreme Court in Secretary, State of Karnataka vs. Uma Devi and others, (2006) 4 SCC 1.

7. Keeping in view the aforesaid facts and discussion, no ground to issue the writ as prayed for is made out.

8. Dismissed.

9. All the pending miscellaneous applications, if any, are also disposed of.

February 21, 2023
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(ANIL KSHETARPAL)
JUDGE

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