

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

CWP-22916-2013 (O&M)

Date of decision: 01.03.2023

Dr. Devinder Pal Bansal

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Rajeshwar Singh Thakur, Advocate for the petitioner

Mr.R.K.Kapoor, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

1. The petitioner prays for issuance of a writ in the nature of Certiorari to quash the order dated 15.02.2011 whereby his services have been regularized with effect from 29.01.1997. The petitioner claims that his services are entitled to be regularized with effect from 29.01.1994.

2. The relevant facts, in brief, are required to be noticed.

3. The petitioner was recruited on a short term basis on 29.01.1987 and he resigned from the job on 20.01.1991. Subsequently, he was appointed again on a short term basis on 20.01.1993 whereas his services have been regularized with effect from 29.01.1997.

4. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook. Learned counsel representing the petitioner, while referring to the instructions issued on 29.01.1973, 15.05.1973 and 11.08.1975 submits that the services of the petitioner were required to be regularized on completion of one year service in 1988, 1989, 1990. In other words, he submits that the petitioner should be deemed to be regularized on completion of one year

service from the date of his initial joining.

5. This Court has considered the submission of the learned counsel representing the petitioner. It is evident that the petitioner resigned from the job on 20.01.1991. He was again appointed on a short term basis on 20.01.1993. At that point in time, the petitioner never claimed that his services stood regularized in 1988-89 or 1990. Learned counsel representing the petitioner admits that as per the subsequent instructions, the services of the petitioner were required to be regularized after completing 4 years period in service. In such circumstances, the petitioner, at this stage, does not have a case for seeking regularization on the basis of the period between 29.01.1987 to 20.01.1991, particularly when he resigned from the job and subsequently, accepted new appointment in the year 1993. Hence, no ground to issue the writ, as prayed for, is made out.

6. Hence, dismissed.

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

01.03.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE