

2023:PHHC:136564

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

RSA-6028-2019 (O&M)
Date of decision: 19.10.2023

Krishan Chand

....Appellant

Versus

The Secretary to Govt. of Haryana Forest Department, Haryana and
others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ram Bilas Gupta, Advocate for the appellant

Mr. J.S.Pannu, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

1. In this Regular Second Appeal, the correctness of the concurrent judgments passed by the courts below is challenged by the plaintiff. In fact, this is the plaintiff's fourth round of litigation. He is out of service since 1999. He claims entitlement to the regularization on the basis of the regularization policy dated 01.10.2003. On the direction of the High Court, the Government has examined the case of the plaintiff and found that the plaintiff does not fulfill the terms and conditions of the aforesaid policy. A detailed order in this regard was passed by the Divisional Forest Officer, Faridabad. It has also come on record that in order to give the benefit to the plaintiff/appellant, the muster roll was interpolated as he was shown to have worked for 30 days in the month of

February, 1990 whereas 31 days in February, 1992. Even in the leap year, the month of February does not have 30 or 31 days.

2. The Court can order regularization of service only if the employee fulfills the requirement of the policy instructions issued by the employer. In this case, the plaintiff does not fulfill the requisite conditions. Hence, no ground to interfere is made out.

3. Dismissed.

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

19.10.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE