

218

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-25722-2016 (O&M)

Date of Decision: 06.07.2023

MANGAT MASIH AND OTHERS

.....Petitioners

V/s.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Sukwinder Singh Sudan, Advocate,
 for the petitioners.

 Mr. Paramjit Batta, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

Petitioners have preferred this Writ Petition for issuance of a Writ in the nature of *Certiorari* for quashing of the order dated 28.02.2013 (Annexure P-9) passed by respondent No.3 and for the issuance of a Writ in the nature of *Mandamus* directing the respondents to regularize the service of the petitioners working as daily-wage employees with the respondents in pursuance of the latest policy dated 18.03.2011 (Annexure P-4).

As come on record from the reply filed by the respondents, while preparing the list of 808 daily wage employees, the names of daily-wage employees of the division, where the petitioners were working, have not been included. No reasons have come forward for not including their names while including names of the other employees resulting in denial of regularization of the petitioners.

It is not denied that the petitioners have been working on daily wage basis since long and even till date they are working. They had already

put in 10 years of service as on December, 2006 which too has not been denied by the respondents.

In the circumstances, the action of the respondents in not including the names of the petitioners in the final list is found to be arbitrary, illegal and unjustified.

Taking into consideration the aforesaid facts, this Writ Petition deserves to be allowed and is accordingly allowed. The respondents are directed to pass necessary orders for regularization of the petitioners from the date other 808 daily-wage employees were regularized with all consequential benefits.

The compliance of this order shall be made by the respondents within a period of 3 months henceforth.

No costs.

(SANJEEV PRAKASH SHARMA)
JUDGE

July 6, 2023
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>