

2023:PHHC:086028
239 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
RSA-578-2023 (O&M)
Date of decision: 07.07.2023

Dalbir Singh

..Appellant

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Monika Sangwan, Advocate for
Mr. R.S.Sangwan, Advocate for the appellant
Mr. J.S.Pannu, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

The appellant assails the correctness of the concurrent findings arrived at by the courts below while dismissing his suit for grant of decree of declaration to the effect that he is entitled to be regularized on the post of Chowkidar in the office of defendant no.1 w.e.f 01.09.1997. Both the courts have found that as per the policy adopted by the State from time to time, he is not entitled to be regularized. Moreover, in view of the Five Judge Bench of the Supreme Court in **State of Karnatka vs. Uma Devi 2006 (4) SCC 1** no such direction can be issued, particularly, when the appellant did not complete 10 years of service on the date of the judgment of the Supreme Court. Hence, no ground to interfere is made out.

Dismissed.

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

07.07.2023

rekha

Whether speaking/reasoned

Whether reportable

**(ANIL KSHETARPAL)
JUDGE**

: *Yes/No*

: *Yes/No*