

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

224

CWP-4090-2018

Date of decision: 12.01.2023

SANTOSH AND ANOTHER

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sukhdeep Parmar, Advocate
for the petitioners.

Mr. Rajesh Gaur, Addl. AG, Haryana.

HARNARESH SINGH GILL, J.(ORAL)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to regularize the services of the petitioners in view of regularization policy dated 30.12.1998/25.02.1999 (Annexure P-2) and policy dated 11.11.2003 (Annexure P-3).

Learned counsel for the petitioners states that both the petitioners were appointed through Employment Exchange as part-time sweepers. The petitioner No.1 was appointed on 01.08.1998 and petitioner No.2 on 01.03.2000 whereas the juniors (mentioned at serial No. 281, 282, 283, 302 and 303) to the petitioners had already been regularized.

Learned counsel for the petitioners further states that written statement filed by respondent No.3-District Education Officer, Sonipat has specifically stated that the case of the petitioners shall be considered in light of the policy dated 11.11.2003 if they fulfill the other terms and conditions of the said policy and also as per common District level seniority list and as per their turn against availability of vacant sanctioned post.

Learned State counsel does not dispute the fact that in the written statement, the offer has been given to consider the case of the petitioners as per the policy dated 11.11.2003, with a condition that if the petitioners fulfill the terms and conditions, the services can be regularized.

I have heard the learned counsel for the parties.

The present petition is disposed of with the direction to the respondent No.2-Director, Secondary Education, Haryana to consider the claim of the petitioners for regularization as they have been appointed as part time sweepers through Employment Exchange and as per the policy dated 11.11.2003 as even the juniors to the petitioners have already been regularized.

Let the exercise be done within a period of eight weeks from the date of receipt of the certified copy of this order, in accordance with law.

January 12, 2023

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(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No