

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

250

CWP-22483-2022

Date of Decision :-19.12.2023

Babu Ram

..Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Dharamveer Phour, Advocate for the petitioner.

Mr.Tapan Yadav, DAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner submits that the question of law whether upon reinstatement of workman in service with continuity after setting aside the order of termination, an employee is to be treated as continuous in service, has already been answered by this Court in **CWP-37558-2019 titled as Ram Lakhan vs. State of Haryana and others, decided on 11.12.2023,** wherein, a direction has been given to the respondent-State to decide the claim of such employee whether the same is covered under the regularization policy dated 01.10.2003 or not.

2. Learned counsel for the petitioner further submits that the claim of the petitioner as raised in the present petition is squarely covered on the facts as well as question of law by the decision of this Court in **Ram Lakhan**

(supra).

3. Learned counsel for the respondents submits that the only objection taken in written statement is that the policy dated 01.10.2023 was withdrawn by the respondents.

4. Learned counsel for the petitioner rebut the same on the ground that even in the year 2013, orders have been passed by the respondents regularizing the services of the employees under the policy dated 01.10.2003, which fact could not be rebutted by the learned counsel for the respondents.

5. Learned counsel for the respondents submits that the claim of the petitioner will not be rejected on the ground that the policy dated 01.10.2023 was withdrawn by the respondents and the same will be decided on merits as to whether the petitioner is entitled for the relief in question or not.

6. Learned counsel for the respondents further submits that keeping in view the settled principle of law settled by this Court in **Ram Lakhani (supra)**, claim of the petitioner will be considered for regularization of his services under the policy dated 01.10.2003 and an appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case, it is found feasible to grant the said benefit to the petitioner, the same will be extended to him within a further period of further four weeks, otherwise, detailed order giving reasons for not accepting the claim of the petitioner will be passed and will be conveyed to the petitioner as well.

7. Learned counsel for the petitioner submits that keeping in view the statement made by learned counsel for the respondents, present petition

may kindly be disposed of having been not pressed any further.

December 19, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No