

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

RSA No. 4492 of 2015

Date of Decision : 31.05.2023

Rachno

...Appellant

Versus

Punjab State Warehousing Corporation, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Suresh Kumar Arya, Advocate for the appellant.

Mr. Sumit Jain, Advocate for the respondents.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the appellant submits that though, in the present regular second appeal, the challenge is to the judgments and decrees of the courts below by which, the claim of the appellant-plaintiff for continuance of service has been declined but, keeping in view various Regularization Policies, which had come into existence prior to the year 2004 when the appellant-plaintiff was relieved from service i.e. Regularization Policies of the year 2001 and 2003, the claim of the appellant-plaintiff needs to be considered for regularization of her services under those policies.

2. Learned counsel for the appellant-plaintiff further submits that the appellant-plaintiff will be satisfied in case, her claim is

considered for regularization of her services in respect of the policies, which came into existence prior to the year 2004, by passing an appropriate speaking order.

3. Learned counsel for the respondents-defendants, on the other hand, submits that firstly the appellant-plaintiff was working as a Sweeper on part time basis though, it is a conceded fact that she had worked from 1989 till August, 2004 with breaks. Learned counsel submits that in case, any claim for regularization of services is raised by the appellant-plaintiff by filing any representation, appropriate order on the same will be passed within a period of eight weeks of the receipt of any such representation.

4. It may be noticed that though, the appellant-plaintiff was working on a part time basis but keeping in view the settled principle of settled by this Court in CWP No. 10238 of 2017 titled as ***Jeewan Lata Vs. State of Punjab and others***, decided on 10.05.2019, where part time service rendered for more than decade, it should be taken as the work for the said post existed in normal course. The said judgment may be kept in mind while passing the appropriate speaking order.

5. Regular second appeal is disposed of having been not pressed but with liberty as noticed here-in-before.

May 31, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No