



CWP-5531-2019

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(222)

CWP-5531-2019

Date of Decision : December 12, 2024

Budh Ram and others**.. Petitioners****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Manu K. Bhandari, Advocate, with
Mr. Rohit Kataria, Advocate and
Ms. Manu Gaur, Advocate, for the petitioners.

Mr. Amarpreet Singh Bains, Assistant Advocate General,
Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioners submits that the petitioners were appointed on various dates starting from the year 2006 onwards till the year 2015 and have already rendered more than three years of service even as of now and are working.

2. Learned counsel for the petitioners further submits that the claim of the petitioners is for regularization of their services under the Instructions dated 18.03.2011 (Annexure P-1) and the said question has already been decided by the learned Single Judge of this Court in ***CWP No.11427 of 2015 titled as Sukhjad Singh and others vs. State of Punjab and another, decided on 19.12.2018*** which judgment has already been



CWP-5531-2019

2

upheld by the Division Bench hence, the petitioners are entitled for the grant of benefit as granted to the petitioners in ***Sukhjad Singh's case (supra)***.

3. Learned State counsel submits that though the petitioners are working but they were not appointed by the competent authorities.

4. Learned State counsel further submits that though the judgment in ***Sukhjad Singh's case (supra)*** has been upheld by the Division Bench but the State has already preferred an SLP, which is pending before the Hon'ble Supreme Court of India but there is no interim order as of now.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. As per the judgment in ***Sukhjad Singh's case (supra)***, any employee, who completed three years of service upto 18.03.2011 or completed the said three years even thereafter, is entitled to be considered for regularization.

7. That being so, the respondents are also liable to be directed to consider the claim of the petitioners under the judgment in ***Sukhjad Singh's case (supra)*** and pass an appropriate speaking order whether, the claim of the petitioners is covered by the judgment in ***Sukhjad Singh's case (supra)*** or not. In case, the claim of the petitioner is covered by ***Sukhjad Singh's case (supra)***, the benefit be granted to the petitioners otherwise due reasons be mentioned in the speaking order to be passed for not accepting the claim of the petitioners.

8. It is also made clear that as the judgment in ***Sukhjad Singh's case (supra)*** is still pending consideration before the Hon'ble Supreme

**CWP-5531-2019****3**

Court of India, learned counsel for the petitioners has undertaken that the consideration to the claim of the petitioners under ***Sukhjad Singh's case (supra)*** be given subject to any order passed by the Hon'ble Supreme Court of India, which be made applicable upon the petitioners also *ipso facto* without there being any appeal against this order.

9. Ordered accordingly.

10. Let the consideration under this order be done within a period of eight weeks from the date of receipt of copy of this order.

11. The present writ petition is disposed of in above terms.

December 12, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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