



CWP-8211-2024 :1:

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-8211-2024 (O&M)
Date of decision : 19.12.2024

KARAMJIT KAUR

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Ms. Kudrit Kaur Sara, Advocate for
Ms. Eknoor Kaur Sara, Advocate
for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the claim of the petitioner is that petitioner is working as a part time sweeper since the year 1999 and has worked for 25 years as of now and therefore, is entitled for the grant of the benefit of regularization.

Learned counsel for the petitioner submits that there is no valid reason with the respondents not to grant the benefit of regularization especially when, under the regularization policies which have been issued by the State of Punjab, the claim of the petitioner is covered including the regularization policy of the year 2003 and 2011.

Learned State counsel submits that though, the petitioner is

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working for the last 25 years but, as she is working on a part time basis, she cannot claim regularization in preference to the other daily wage workers or the contractual employees.

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

Once the petitioner is continuously working for the last 25 years, the denial of the benefit of regularization will be too harsh upon an employee who has rendered service for a period of more than 2½ decades. The same question had come for consideration before this Court in **CWP No.26714 of 2019 decided on 19.07.2024 titled Hira Devi and others Vs. State of Punjab and others** wherein, the employees who have rendered more than 02 decades of service, have been directed to be considered for regularization of their services.

Once, the petitioner also has more than 2 ½ decades of service, the benefit of regularization cannot be denied under the judgment in **Hira Devi (supra)**.

Qua the argument of learned State counsel that the petitioner is working on part time basis, it may be noticed that in **CWP-10238 of 2017 titled 'Jeewan Lata Vs. State of Punjab and others, decided on 10.05.2019,** this Court has held that continuous service for a long period even on a temporary basis shows that the nature of duties being performed by the so called part timer are needed. It cannot be said that a part time employment is not to be recognized for regularization especially when the same is for more than 2 ½ decades.

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Number of employees must have retired or their services might have been regularized in the meantime. Even otherwise, as 10 years have elapsed since the seniority of the petitioner was framed, the respondents are under obligation to grant a consideration to the claim of petitioner for regularization of her services.

Keeping in view the above, the respondents are directed to consider the claim of the petitioner for regularization of her services keeping in view the direction given in **Hira Devi (supra)**.

Disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

19.12.2024

Rimpal

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No