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2024:PHHC:007684
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11478-2022 (O&M)
Date of decision: 20.01.2024

Gurmeet Kaur

....Petitioner

Versus

Punjab State Power Corporation Limited Patiala and Ors

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Sunny Singla, Advocate for the petitioner.

Mr. Kunal Garg, Advocate for the respondents.

NAMIT KUMAR J. (Oral)

1. Prayer in this petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari for quashing the order dated 03.11.2021 (Annexure P-10), vide which the claim of the petitioner for regularization has been rejected.

2. The case set up in the present petition by the petitioner is that she is working as Part Time Sweeper from year 1995 onwards and she is entitled to be regularized in service in view of the Instructions/Policies of the State Government dated 18.01.1995, 23.01.2001, 15.12.2006, 18.03.2011, 19.05.2011 and 17.11.2011 (Annexures P-2 to P-7, respectively).

3. Written statement on behalf of the respondents/PSPCL, filed in the Court is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Para 13 of the written statement, reads as under:-

“13. That the contents of Para 13 of the writ petition is matter of record. That the petitioner is working on Part Time Basis against the Non-Sanctioned post and the employment of petitioner is not done through Employment

Exchange or Open Advertisement, thus the services of the petitioner was not regularized. That in view of LPA 95 of 2019, the Apex Court dismissed the SLPs on 11.8.2023 filed by the respondents, therefore, the judgment of the Division Bench of the Hon’ble High Court have attained finality. That on the directions of worthy CMD/PSPCL, the matter of the petitioner will be put in BOD meeting for further action.”

4. Learned counsel for the petitioner submits that the case of the petitioner is liable to be reconsidered in view of the Instructions/Policies of the State Government dated 18.01.1995, 23.01.2001, 15.12.2006, 18.03.2011, 19.05.2011 and 17.11.2011 (Annexures P-2 to P-7, respectively), and the law laid down by the Division Bench of this Court in **LPA No.95 of 2019**, titled as **“Punjab State Power Corporation Limited and another vs Surinder Singh and others”**, decided on **23.12.2022**.

5. Learned counsel for the respondents, in terms of the averments made in Para 13 of the written statement, submits that the case of the petitioner shall be reconsidered.

6. In view of the stand taken by the respondents in the written statement, particularly in Para 13 thereof, the present petition is disposed of with a direction to the respondents/Corporation to reconsider and decide the case of the petitioner for regularization within a period of 03 months from the date of receipt of certified copy of this order.

(NAMIT KUMAR)
JUDGE

20.01.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No