IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

601

CWP-943-2005
Date of decision: 19.09.2024

Balbir Singh ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

*****

Present: Mr. Samrat Malik, Advocate
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

*****

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for quashing of order dated 15.01.2004, whereby the services of the petitioner was terminated.

2. Learned counsel submits that the petitioner was appointed as a Groundman on a fixed salary on 01.05.1993 and continued as such till 28.02.1996, whereafter he having not been allowed to continue, had approached the Industrial Tribunal, which granted him reinstatement with continuity of service alongwith 50% back wages from the date of demand notice i.e. 27.08.1996, consequent to which, he joined on 10.05.2001. Since, he was entitled to be regularized as per the policy dated 07.03.1996 and 18.03.1996, Annexures P-2 and P-3, instead his services were terminated on 26.08.2002, which was assailed by him in CWP-13893-2002, wherein the Division Bench vide order dated 02.09.2002, Annexure P-5, set aside the same and directed that his case be considered for regularization in terms of the aforesaid policies. However, the same was rejected vide order dated 05.05.2003, Annexure P-7, leading to his services being terminated yet again

HAMANT
2024.09.20 16:28
I attest to the accuracy and
integrity of this order/judgment

vide order dated 15.01.2004, Annexure P-8, without there being any justification, which is the subject matter of challenge in this case. Besides praying for setting aside the said orders, prayer is also made for regularization of his services under the policy decision dated 01.10.2003. He submits that the order of termination is later than the date of the said policy and as such is entitled for consideration under the same. He, on instructions, prays that the petitioner would be satisfied, in case a time bound direction is given to the respondents to consider his claim as per the aforesaid policies.

3. Learned State counsel has no objection to the limited prayer made.

4. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider and decide the claim of the petitioner for regularization in terms of the policy decision dated 01.10.2003, expeditiously in accordance with law.

(AMAN CHAUDHARY)
JUDGE

19.09.2024
Hemant

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

HAMANT
2024.09.20 16:28
I attest to the accuracy and
integrity of this order/judgment