



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-14981-2017 (O&M)

Decided on :15.05.2024

KRISHAN AND ORS

. .petitioners

Versus

STATE OF HARYANA & OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Aryavart, Advocate for

Mr. Ajay Chaudhary, Advocate for the petitioners.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioners argues that the claim of the petitioners for regularization of their services under the policy dated 01.10.2003 is covered by the order dated 13.03.2024 passed by this Court in CWP No. 2158-2020 titled as **'Ashish Sharma and others v. State of Haryana and others', alongwith other connected cases.**

2. Learned counsel for the respondents submits that there is no need for considering the claim of the petitioners in view of the judgment passed in **Ashish Sharma's case (supra)** as on an earlier occasion, the petitioners had approached the Tribunal for regularization of their services which benefits has been granted and the writ petition filed by the State against the said Award was upheld upto the Hon'ble Supreme Court of India

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

As per the respondents themselves, the earlier petition was with regard to the regularization of service of the petitioners under the policy of



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the year 1993 whereas, the subsequent policy dated 01.10.2003 has also been issued by the respondents, wherein similarly situated employees have been considered for regularization of their services and directions have already been issued to regularize the services of the similarly situated employees which judgment has already been upheld upto the Hon'ble Supreme Court of India. Based upon the said fact, this Court while passing judgment in **Ashish Sharma' s case (Supra)** set down certain parameters for considering the claim of the petitioners for regularization of their services under the regularization policy dated 01.10.2003 as modified, hence, the claim of the petitioners should be considered in terms of the order passed in **Ashish Sharma' s case (Supra)** under the regularization policy dated 01.10.2003.

The earlier orders passed which were in respect of another policy, hence the same cannot be made a ground to deny the benefit of regularization to the employee in case, he/she is entitled for regularization of their services under the subsequent policy dated 01.10.2003 as modified, hence, keeping in view the facts and circumstances of the present case, the present petition stands disposed of in the same terms and conditions passed in **Ashish Sharma' s case (Supra)**.

4. Pending civil miscellaneous application, if any, stands disposed of.

8. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

15.05.2024

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No