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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8427-2015 (O&M)
Date of Decision:29.01.2024.

LAL SINGH AND OTHERSPetitioners
V/s.
STATE OF PUNJAB AND OTHERSRespondents

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

Present: Mr. Ashok Giri, Advocate for the petitioner.
Mr. Charanpreet Singh, AAG, Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. Learned counsel for the petitioners submits that petitioners No.4, 6 and 8, who are presently in service, have already been regularized while other petitioners have retired, however, as informed by the learned counsel for the respondents they are getting regular pension and were also in the regular pay scale and were given the benefits of selection scale. Thus, for all intents and purposes, they were also in the regular cadre.

2. The only aspect which learned counsel for the petitioners presses is that persons junior to the petitioners were regularized in the year 2010 in terms of order dated 15.03.2010 passed in CWP-582-1988. Learned counsel for the petitioners submits that as the petitioners were senior to the said persons, who were regularized in terms of an order passed by this Court, the petitioners too should be given the same benefits.

3. Admittedly, the Writ Petitioners in CWP-582-1988 had approached the Court way back in the year 1988 claiming regularization and the Court had passed an order in their favour on 15.03.2010. The petitioners in the instant Writ Petition chose to remain silent and were watching the

game from the stands and filed this Writ Petition only in 2015. Thus, they cannot be said to be similarly placed nor can they claim any benefits which have been given to the said petitioners who were aware of their rights from 1988, while the petitioners herein have arisen from their slumber only in 2015.

4. In view of the aforesaid, the claim of the petitioners for seeking regularization from the date the other persons regularized by way of order passed by this Court in CWP-582-1988 is not made out and accordingly, this Writ Petition is dismissed. It is made clear that dismissal of this Writ Petition will not come in the way of the petitioners who have already been regularized.

5. All pending applications in this Writ Petition stand disposed of accordingly.

January 29, 2024
Ess Kay

[SANJEEV PRAKASH SHARMA]
JUDGE

Whether speaking / reasoned	:	Yes	/	No
Whether Reportable	:	Yes	/	No