

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision : 28-08-2024

VERSUS

.....Respondent(s)

Mr. Arun Gupta, DAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance being raised by the petitioners is that the services of the petitioners are not being regularised from the date when they completed 3 years service despite the fact that their claim is covered under the order/Instructions dated 18.03.2011, copy of which has been appended as Annexure P-3 and after considering the said instructions, the Co-ordinate Bench of this Court while passing order in CWP No.11427 of 2015 titled as ***“Sukhjad Singh and ors. Vs. State of Punjab and anr.”***, decided on 19.12.2018 has held that as and when, an employee completes 3 years of service, they are entitled for compensation for regularisation of their services, which consideration has not been given to the claim of the petitioners despite the fact that the judgment in CWP No.11427 of 2015 has been upheld by the Letters Patent Appeal No.516 of 2020 titled ***“State of Punjab and anr. Vs. Sukhjad Singh and ors.”***, decided on 28.03.2022 though, the matter is pending consideration before the Hon’ble Supreme Court of India in SLP (C) No.15325 of 2022 titled ***“State of Punjab Vs. Sukhjad Singh and ors.”***, wherein only notice of motion has been issued.

Notice of motion.

Mr. Arun Gupta, DAG Punjab appears and accepts notice on behalf of the respondent-State and submits that once the matter is pending in the Hon'ble Supreme Court of India, the petitioners are not entitled for the benefits of order passed in CWP No.11427 of 2015, which order has been upheld in LPA No.516 of 2020.

Learned counsel for the petitioner submits that the petitioner undertakes that in case, the order passed in CWP No.11427 of 2015 is in any manner modified by Hon'ble Supreme Court of India while passing order in SLP (C) No.15325 of 2022, the same be made applicable upon the petitioner and the respondents be directed to consider the claim of the petitioner in light of the judgment in CWP No.11427 of 2015 subject to the outcome of SLP (C) No.15325 of 2022.

Learned State counsel submits that the claim of the petitioner will be considered keeping in view of the judgment in CWP No.11427 of 2015, an appropriate speaking order will be passed subject to any order to be passed in SLP (C) No.15325 of 2022 and in case it is found that the claim of the petitioner is covered by the judgment in CWP No.11427 of 2015, an appropriate relief will be granted within a period of 8 weeks from the receipt of copy of this order.

Learned counsel for the petitioners submit that keeping in view the statement of the learned State counsel, the present writ petition may kindly be disposed as having been not pressed any further.

Ordered accordingly.

Pending applications, if any, also stand disposed of.

28-08-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO