



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.104

LPA-2548-2024 (O&M)

Date of decision : 19.10.2024

State of Haryana and others

..... Appellants

Versus

Dharampal and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
 HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr.Hitesh Pandit, Addl.A.G., Haryana.

* * * * *

DEEPAK SIBAL, J. (Oral)

1. In a bunch of petitions in which the lead case was CWP-2158-2020-*Ashish Sharma and others vs. State of Haryana and others* the issue raised before a learned Single Judge of this Court was with regard to regularization of the services of the petitioners therein. The matter was considered in much detail and the entire bunch of petitions was disposed of with issuance of the following directions: -

“43. In view of the above, the writ petitions are disposed of in the terms and conditions mentioned herein before. Let the respondent-State pass appropriate speaking order as directed herein before. In case, any of the petitioner is found entitled for regularization/retrospective regularization of services from the date employees junior to him/her has been regularized, they will be granted the said date of regularization otherwise due reasons be mentioned in the speaking order keeping in mind the directions given by the Court herein before so as to decide the eligibility of each petitioners qua their respective claims. Further in case any of the petitioners is found entitled for regularization of his services retrospectively the said benefit shall be given notionally, no arrears will be granted to the petitioners up to the date of filing of the respective petitions. The petitioners will be entitled for fixing of their salaries from the date of regularization notionally and the arrears will only be extended from the date of filing of their respective petitions before this Court and if any of the petitioners has already retired, his/her pensionary benefits will also be fixed/revised and arrears will also be extended from the date of filing the petition by the said petitioner.”

2. When the respondents petition, through which they also claimed regularization of their services, came up for hearing before the learned Single Judge, learned counsel for the respondents sought disposal of the respondent's petition in terms of *Ashish Sharma's* case (supra). The learned State counsel specifically stated that he had no objection if the respondents' writ petition was disposed of, as prayed for by

learned counsel for the respondents. Accordingly, the respondents’ writ petition was disposed of in terms of *Ashish Sharma’s* case (supra).

3. Before us, the learned State counsel assails the impugned judgment by the learned Single Judge by submitting that both on facts and law the respondents’ case is not covered by *Ashish Sharma’s* case (supra).

4. Once, before the learned Single Judge, learned counsel appearing for the State had specifically stated that he had no objection if the respondents’ writ petition is disposed of in terms of *Ashish Sharma’s* case (supra) and in the grounds of the present appeal as also through the submissions made before us the afore statement made on behalf of the State before the learned Single Judge is not disputed, we are not inclined to accept the afore submission made on behalf of the State.

5. Dismissed.

6. Pending miscellaneous application(s), if any, also stand disposed of.

[DEEPAK SIBAL]
JUDGE

19.10.2024
shamsher

[DEEPAK MANCHANDA]
JUDGE

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