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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1.CWP-28270-2023
Date of Decision: 06.03.2024

RAM RATTAN...Petitioner

Vs.

STATE OF HARYANA AND OTHERS...Respondents

2.CWP-19463-2017 (O&M)
Date of Decision: 06.03.2024

SITA RAM...Petitioner

Vs.

STATE OF HARYANA AND OTHERS...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shailendra Jain, Senior Advocate with
Mr. Sandeep Sharma, Advocate,
Mr. Saachi Mahajan, Advocate and
Mr. Rohiti Johar, Advocate
for the petitioner.

Mr. Harish Nain, AAG, Haryana and
Ms. Vibha Tewari, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petitions, grievance of the petitioners is that they are entitled for regularization of their services which benefit has been extended to the juniors of the petitioners in terms of the regularization policy dated 18.06.2014.
2. Learned State counsel submits that the Division Bench of this Court while passing the order in **CWP No. 17206 of 2014 titled as Yogesh Tyagi and another Vs. State of Haryana and others decided on 31.05.2018** has already set aside the regularization policy under which the petitioners are seeking benefits and even the juniors are continuing to get the said benefits under the interim orders passed by the Hon'ble Supreme Court of India.

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

4. Once, it is a conceded position that the regularization policy dated 18.06.2014 has already been set aside by the Division Bench of this Court, no benefit of the said policy can be extended to the petitioners. Even the juniors of the petitioners have been granted the benefit of regularization of service under the policy dated 18.06.2014, on which basis, the present claim has been raised. It may be noticed as the regularization of services of juniors has already been set aside by the Division Bench in **Yogesh Tyagi's case (Supra)** and they are only continuing under the interim orders of the Hon'ble Supreme Court of India. Hence, the present petitions are disposed of with the observation that in case, after the decision of the Hon'ble Supreme Court of India *qua* the regularization policy dated 18.06.2014, any benefit accrues to the petitioners to get their services regularized, the petitioners will be at liberty to file a fresh petition raising the said claim.

5. It may be noticed that in case the work for the post on which the petitioners are working still exists, the petitioners shall be allowed to continue in service subject to their satisfactory work and conduct. The assessment as to whether the work of the post exists or not, will be assessed by the respondents keeping in view the instructions issued by the Government of Haryana in the said aspect. In case, work of the post in question exists and the conduct of the petitioners is satisfactory, they will be allowed to continue in service till the date of superannuation or till the work of the post exists, whichever is earlier.

- 6. The present petitions are disposed of.
- 7. Pending applications, if any, shall stands disposed of.
- 8. A photocopy of the order be placed on the file of other connected case.

(HARSIMRAN SINGH SETHI)
(JUDGE)

06.03.2024

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