



CWP-34814-2024

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

(111)

CWP-34814-2024

Date of Decision : December 20, 2024

Vijay Kumar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gauravjit Singh Patwalia, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, Assistant Advocate General,
Punjab.**HARSIMRAN SINGH SETHI J. (ORAL)**

1. In the present petition, the grievance being raised by the petitioner is that the services of the petitioner are not being regularized from the date when he completed 3 years of service despite the fact that his 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 another, decided on 19.12.2018*** has already held that as and when, an employee completes 3 years of service, he is entitled for consideration for regularization of his services, which consideration has not been given to the claim of the petitioner despite the fact that the judgment in CWP No.11427



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of 2015 has been upheld by the Division Bench of this Court in 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.

2. Notice of motion.

3. Mr. Amarpreet Singh Bains, learned Assistant Advocate General, Punjab, appears and accepts notice on behalf of the respondent-State and submits that once the matter is pending before the Hon’ble Supreme Court of India, the petitioner is 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.

4. 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.

5. Learned State counsel submits that the claim of the petitioner will be considered keeping in view of the judgment passed in CWP No.11427 of 2015 and 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

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weeks from the receipt of copy of this order otherwise due reasons will be mentioned in the speaking order for not accepting the claim of the petitioner, which will be conveyed to the petitioner.

6. Learned counsel for the petitioner 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.

7. Ordered accordingly.

December 20, 2024*harsha***(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No