

**CWP-1847-2023 & connected cases****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****257/169 (3 cases)****CWP-1847-2023****Date of Decision: 21.01.2025****Dharmdutt****...Petitioner****Versus****Dakshin Haryana Bijli Vitran Nigam Limited and others****...Respondents****With**

Sr. No.	Case No.	Petitioner	Respondent(s)
2.	CWP-6217-2018	Nawab Singh	H.V.P.N.L. and others
3.	CWP-18476-2020	Gautam	State of Haryana and others

Present: - Mr. Devender Arya, Advocate for the petitioner
(in CWP-1847-2023)

Mr. R.S. Panghal, Advocate for the petitioner
(in CWP-6217-2018)

Mr. Varun Gupta, Advocate for the petitioner
(in CWP-18476-2020)

Mr. B.R. Mahajan, Senior Advocate with
Mr. Parteek Mahajan, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *CWP-1847-2023*.

2. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondents to regularize his service on the post of Sweeper.



3. The petitioner joined respondent in May' 1996 as part time Sweeper. He is claiming regularization of his service as per policy of 2011.

4. Mr. B.R. Mahajan, Senior Advocate submits that Power Utilities did not adopt State Government's policy of 2003, however, policy of 2011 was adopted. As per 2011 Policy, an employee was entitled to regularization if he had completed 10 years of service as on 10.04.2006. The petitioner is not eligible as per 2011 Policy because he is short off 1-2 months as on 10.04.2006.

5. *Per contra*, learned counsel for the petitioner submits that this Court in many cases has extended benefit of 2011 Policy where there was shortfall of few months in the completion of 10 years of service as on 10.04.2006.

6. Faced with this, Mr. B.R. Mahajan, Senior Advocate, submits that question of waiver of condition of 10 years' service as on 10.04.2006 is pending before the Supreme Court. The case of the petitioners would be considered as per 2011 Policy subject to outcome of *SLP(Civil) No.18374 of 2022*.

7. Learned counsel for the petitioner agrees to the aforesaid arrangement.

8. In the wake of statement of both sides, the petitions stand disposed of with a direction to respondent to consider claim of the petitioner as per 2011 Policy. Needless to mention, their claim shall not be rejected on the ground of minimum qualifications or availability of sanctioned posts.

9. It is made clear that if the petitioners are found eligible for



filing petition before this Court, shall be entitled to arrears, arising on account of difference in salary payable to permanent and temporary employees.

(JAGMOHAN BANSAL)
JUDGE

21.01.2025
Mohit Kumar

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