



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

**CWP No.2827-1999(O&M)
Date of Decision: 03.04.2025**

SATBIR SINGH

....Petitioner

vs.

STATE OF HARYANA & ORS

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. R.K.Malik, Senior Advocate with
Mr. Sandeep Dhull, Advocate
for the petitioner

Mr. Raman Sharma, Addl. A.G., Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to consider him as a regular employee from the date of his appointment.

2. The petitioner was appointed as Safai Daroga during strike in the State of Haryana. The respondent issued letter dated 20.12.1996 wherein it was ordered that if striking employees would not join their duty, they would be substituted by regular employees. The respondent made appointment of many Safai Karamcharis as regular. The petitioner was also appointed as Safai Daroga but not regularised.



3. This Court while issuing notice of motion on 01.03.1999 directed the respondent not to terminate the petitioner. In view of the said order, the petitioner continued to work and superannuated on 31.03.2025.

4. On 19.05.2015, the following order was passed:-

“The original claim in this writ petition was for regularization to the post of Safai Daroga. In the reply, it was stated that under the recruitment Rules, the post of Safai Daroga was purely a promotional post.

Counsel for the petitioner submits that the petitioner would be satisfied if his services are regularized as Safai Karamchari and not as Safai Daroga, keeping in view the fact that he has been working for the last 20 years.

On the last date, it had been noticed that the learned counsel who had originally appeared for respondent No.3-Municipal Committee was no more in active practice and, therefore, fresh notice was issued to respondent No.3. That notice has been received back duly served. However, none has entered appearance on behalf of respondent No.3. On the asking of the Court, Mr. Ashok Singh Chaudhary, Addl. A.G Haryana accepts notice on behalf of respondent No.3 and seeks a short adjournment to respond to the latest statement made by counsel for the petitioner.

Adjourned to 8.7.2015.”

5. Mr. Raman Sharma, Addl. A.G., Haryana expressed his inability to controvert the fact that similarly situated employees were appointed as regular and there was promise by State Government to engage Safai Karamcharis on regular appointment.



6. Considering the fact that similarly situated employees were appointed on regular basis, petitioner has worked from 1996 to 2025 and he has agreed that he may be regularised as Safai Karamchari instead of Safai Daroga, this Court finds it appropriate to direct the respondent to treat the petitioner as regular employee from the date of his appointment. It is made clear that that petitioner shall not be entitled to arrears on account of treating him as a regular Safai Karamchari from the date of his appointment, however, he shall be entitled to pensionary benefits treating him as a regular employee since 1996.

7. Petition stands disposed of in the above terms.

8. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

03.04.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No