

**CWP-13144-2018****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****237/6****CWP-13144-2018****Date of Decision: 17.01.2025****Nand Kishore****...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Jasbir Mor, Advocate for the petitioner

Mr. B.R. Mahajan Senior Advocate with

Mr. Sourabh Goel, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to the respondents to regularize him w.e.f. 01.02.1996 instead of 22.08.2014.

2. The petitioner claims that he joined the respondent in 1992 as Daily Wager. He continued to work till his date of superannuation. He, from time to time, made representations to the respondent to regularize him as per policy of 1996 followed by policy of 2003. His matter was considered and referred to Finance Department, but he was not regularized on account of non-availability of regular post. His case was again considered in 2014 and he was regularized in 2014 and appointment letter dated 2014 was issued. He was regularized on the post of Helper to Water Pump Operator.

3. Learned counsel for the petitioner submits that petitioner is entitled to regularization as per policy of 1996 as well as 2003. He was considered for regularization as per those policies, however, never extended benefit which was extended to similarly situated employees. He had objected

to his regularization in 2014.

**CWP-13144-2018****-2-**

4. From the perusal of appointment letter dated 22.08.2014 (Annexure P-11), it is evident that petitioner was regularized on the post of Helper to Water Pump Operator. It was mentioned in the appointment letter that an interview was conducted on 19.08.2014 and he was found eligible in the interview. He was subjected to police verification as well as medical examination. In the terms and conditions, it was pointed out that he would not be entitled to any other benefit and he shall furnish affidavit to the effect that he would not demand any benefit in future.

5. In view of fresh appointment of the petitioner by letter dated 22.08.2014, the petitioner waived his rights accruing from previous policies. He happily accepted terms and conditions of appointment letter dated 22.08.2014 and worked as per said letter till the date of his superannuation. He cannot be heard to say that appointment letter dated 22.08.2014 must relate back to 1996 as per policy of 1996. The petitioner was not regularized in 2014 on the basis of past service whereas it was his fresh appointment as a regular employee after following prescribed procedure.

6. In the wake of above discussion and findings, this Court is of the considered opinion that there is no substance in the contention of the petitioner. The petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

17.01.2025
Mohit Kumar

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