



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

Sr. No.216**CWP-27856-2018****Date of Decision: 23.09.2025**

Jeet Kaur

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: None for the petitioner.

Mr. Amit Sahni, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 26.04.2018, Annexure P-4, to the extent the petitioner has been regularised in service with effect from 01.04.2011, instead of 01.03.1999 or 27.09.2003, the date from which her juniors were regularised.

2. Learned State counsel contends that the petitioner was initially engaged as part-time Sweeper in Government Primary School, Salam Khera, Fatehabad, against a non-sanctioned post on 01.04.1990. She was regularised in service with effect from 08.08.2014, vide office order of the same date in terms of the regularisation policy dated 11.11.2003/27.02.2004, on the basis of a common seniority list of Class IV employees at district level. However, as per regularisation policy of 1998/1999, part-time candidates should have the requisite qualifications, and those recruited through employment exchange, should have at least three years' experience on their post. Another essential condition was that their appointment must be against regular sanctioned vacant Class IV post. Since the petitioner did not fulfill these conditions, she could not be regularised in service. Thereafter, in



terms of directions issued by this Court in CWP No.5926 of 2001 titled *Vidya Devi and others v. State of Haryana and others*, vide order dated 20.02.2002, the Education Department framed a policy, dated 11.11.2003, for regularisation of part-time Class IV employees against vacant regular sanctioned posts. This policy superseded all earlier policies issued from time to time. In terms therewith, the respondents prepared a district level common seniority list of all part-time Class IV employees working in Government Primary/Middle/High/Senior Secondary schools and field offices as on 30.06.2003, who were accordingly considered for regularisation against vacant regular sanctioned posts. The petitioner was also considered on the basis of common seniority list of district Fatehabad, and was regularised vide the order aforementioned with effect from 08.08.2014.

2.1. He further contends that in terms of the policy dated 11.11.2003, no person junior to the petitioner has been regularised prior to 08.08.2014. In this regard a specific stand has been taken by the respondents which is as follows:

8. That the petitioner quoted the example of Sh. Inder Singh whose services were regularized w.e.f. 27.9.2003 as per the regularization policy of 1998/1999. Because at that time Sh. Inder Singh fulfilled the essential conditions for regularization of the policy dated of 30.12.1998/25.02.1999 and the school in which Sh. Inder Singh was working that was upgraded to High School in the year of 1997 and post of class IV got sanctioned after upgradation of the school. Henceforth, Sh. Inder Singh was regularized under the policy of 1998/1999. It is also pertinent to mention here that the name of Sh. Inder Singh is not in the district wise common seniority list of Class IV part time employees. Moreover, the petitioner also quoted the employee of Sh. Shish Pal who has been regularized w.e.f. 01.03.1999 because Sh. Shish Pal was engaged against the sanctioned vacant post since he fulfill the conditions of the regularization



policy dated 30.12.1998/25.02.1999 & hence regularized under that policy.

Accordingly, it is contended that the petitioner cannot be considered for regularisation prior to 01.04.2011.

3. The facts aforementioned have not been disputed by the petitioner by filing any counter affidavit. Therefore, it is apparent that she has been considered for regularisation in terms of Government Policy dated 11.11.2003 on the basis of common seniority list of employees at district level, and no person junior to her has been regularised from a date prior to her regularisation.
4. In view thereof, there is no merit in the petition and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

23.09.2025
Maninder

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