



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

220

CWP-32588-2019

Date of Decision: 15.01.2025

Om Parkash

.....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Anil Shukla, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

Mr. Deepak Balyan, Advocate,
and Mr. Vicky Chauhan, Advocate,
for respondent No.3.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition filed under Articles 226 and 227 of the Constitution of India is seeking direction to respondent to regularize him on the post of Assistant Sanitary Inspector from the date his juniors have been regularized.

2. This is second round of litigation. On the earlier occasion, with the same prayer, petitioner approached this Court by way of filing **CWP-18342-2016** which was disposed of vide order dated 12.05.2017. The order dated 12.05.2017 is reproduced as below:-

*“By this petition the petitioner has prayed for
issuance of directions to the respondent to regularise the*



services of the petitioner from the date the services of his juniors were regularised.

Counsel for the petitioner states that in this regard, the petitioner has already sent a legal notice i.e. Annexure P-6 and that he would be satisfied at this stage if in the first instance a direction is issued to respondent No.3 to consider the same by passing a speaking order there within a reasonable time.

I find this to be a fair request. Resultantly, respondent No.3 is directed to decide the legal notice of the petitioner by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

This petition stand disposed of in the above terms.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.”

3. Mr. Anil Shukla, learned counsel for the petitioner submits that in compliance of aforesaid order, Government vide order dated 19.10.2020 (Annexure P-8) has created one supernumerary post of Assistant Sanitary Inspector from 01.10.2003 to 01.09.2015. The respondent despite aforesaid order has not issued an appropriate order with respect to his regularization. The relevant extracts of order dated 19.10.2020 passed by Additional Chief Secretary, Government of Haryana, Urban Local Bodies Department are reproduced as below:-

“Subject:- Order dated 12.05.2017 passed by Hon'ble High Court for the States of Punjab and Haryana in CWP No. 18342 of 2016-Omparkash S/o Umrao, ASI (Daily wages) V/s State of Haryana and Ors.

In reference to your Letter Number MCF/E-6/2020/107 dated 07-07-2020 on the above subject.



2. As per your resolution, the Government gives approval to create one supernumerary post of Assistant Sanitation Inspector in Municipal Corporation, Faridabad from 01.10.2003 to 01-09-2015. Along with this, you are requested that you are the employing officer of the applicant, hence take appropriate action as per the Order of the Honrable Court and inform the government within in seven days.”

4. Faced with this, counsel for the respondent submits that competent authority would pass an appropriate order within 8 weeks from today, in the light of order dated 19.10.2020 (Annexure P-8) of State Government.

5. Counsel for the petitioner agrees to the aforesaid arrangement.

6. In the wake of statement of both sides, the writ petition stands disposed of.

15.01.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No