



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

CWP-29959-2025

Date of decision: 10.12.2025

Naripjit Singh

....Petitioner

Versus

The Sugarfed Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Khushboo Sharma, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents, particularly, respondent No.2 to regularize and confirm the services of the petitioner and consider him permanent employee w.e.f. 26.11.2024 with all service benefits connected with the post of Motor Attendant as he has successfully completed probation period of appointment letter dated 18.11.2021 (Annexure P-3).

2. Learned counsel for the petitioner *inter alia* contends that the father of the petitioner died in harness on 23.06.2000 while serving respondent No.2 as discernible from Annexure P-1. The petitioner, being a legal heir, applied for compassionate appointment. Respondent No. 2 instead of granting immediate permanent appointment, engaged the petitioner as an outsourced employee in the Cane Department in 2001 on a consolidated salary. After repeated representations and prolonged delay, the petitioner was appointed as a Motor Attendant (Seasonal) on compassionate grounds. The appointment letter

**CWP-29959-2025****-2-**

stipulated a probation period of three years. Upon completion of this period, instead of being regularized as a permanent Motor Attendant, his services were merely confirmed in the semi-skilled grade vide order dated 26.11.2024 (Annexure P-4). The petitioner served a legal notice on 27.05.2025 (Annexure P-5) seeking his regularization and payment of arrears, however, the respondent rejected the petitioner's claim without addressing the substantive issues raised in the legal notice.

3. Having heard learned counsel for the petitioner, it transpires that respondent No.2 is a Sugar Mill which is a seasonal industry and as per the approved staffing pattern, there are 121 permanent and 211 seasonal posts reflecting that approximately double posts are of seasonal as compared to regular permanent posts. Further, the perusal of the reply indicates that in fact the petitioner was given employment on compassionate ground despite not being eligible under the applicable policy instructions. There is no regular or permanent vacant post of Motor Attendant and the precedent cited by the petitioner pertained to an individual who possessed the essential qualification of a Diploma in Electrician, whereas, the petitioner is only 10th pass. Only three persons were appointed on compassionate ground as per the availability of the vacant post.

4. Learned counsel for the petitioner is unable to satisfy this Court as to how the writ petition would be maintainable against respondent No. 2. She has failed to point out violation of any statutory rule or instructions.

5. As such, in view of the law as laid down by the Hon'ble Apex

Court in ‘*General Manager, Kisan Sahkari Chini Mills Ltd., Sultanpur, UP v. Satrughan Nishad and others*’, (2003) 8 SCC 639 and ‘*Ajay Hasia and others v. Khalid Mujib Sehravardi and others*’, 1981(1) SCC 722 the judgment rendered by the Coordinate Bench of this Court in CWP No.27527 of 2017 titled as ‘*Krishan Kant Vs. Punjab State Cooperative Agricultural Development Bank Limited and others*’ decided on 23.02.2023, the present civil writ petition is hereby dismissed being not maintainable.

(HARPREET SINGH BRAR)
JUDGE

10.12.2025
Neha

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