



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

Date of decision : 11.11.2025

- ## Nathi Ram and others

Vs.

..Appellant(s)

...Respondents

- Satpal Singh**

Vs.

...Appellant(s)

...Respondents

- ## Yusuf Muhamad and others

Vs.

...Appellant(s)

...Respondents

- Ashok Singh and others**

Vs.

...Appellant(s)

...Respondents

- ## Kamal Kataria and others

Vs.

...Appellant(s)

...Respondents

- ## Balwinder Singh

Vs.

...Appellant(s)

...Respondents

- ## 7. LPA-3009-2025 (O&M)

LPA-3004-2025 and others connected cases 2

2025:PHHC:168145-DB 

Ravi Kumar and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

8. LPA-3070-2025 (O&M)

Chamkaur Singh ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

9. LPA-3258-2025 (O&M)

Chamk Singh and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

10. LPA-3259-2025 (O&M)

Prem Singh and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

11. LPA-3271-2025 (O&M)

Sher Singh and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

12 LPA-3273-2025 (O&M)

Chaman Lal and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

13. LPA-3275-2025 (O&M)

Sukhjinder Pal and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

14. LPA-3139-2025 (O&M)

Kela Rani ...Appellant(s)



Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

15. LPA-3143-2025 (O&M)

Gurmit Singh and another ...Appellant(s)

Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

16. LPA-3144-2025 (O&M)

Kamlesh and others ...Appellant(s)

Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

17. LPA-3145-2025 (O&M)

Simarjit Kaur ...Appellant(s)

Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

18. LPA-3148-2025 (O&M)

Surinder Singh ...Appellant(s)

Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

19. LPA-3169-2025 (O&M)

Jagdish Kumar and another ...Appellant(s)

Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

20. LPA-3189-2025 (O&M)

Satpal and others ...Appellant(s)

Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

21. LPA-3190-2025 (O&M)

Charanjit Kaur ...Appellant(s)

Vs.



Punjab State Power Corp.Ltd. and others ...Respondents

22. LPA-3214-2025 (O&M)

Prem Singh and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

23. LPA-3236-2025 (O&M)

Jaswant Kaur ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

24. LPA-3240-2025 (O&M)

Ramesh Singh and others ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

25. LPA-3244-2025 (O&M)

Jaswinder Singh and another ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

26. LPA-3245-2025 (O&M)

Paramjit Kaur and another ...Appellant(s)
Vs.

Punjab State Power Corp.Ltd. and others ...Respondents

27. LPA-3238-2025 (O&M)

Jaspal Singh and others ...Appellant(s)
Vs.

State of Punjab and others ...Respondents

CORAM: HON’BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON’BLE MR. JUSTICE DEEPAK MANCHANDA



Present: Mr. Kapil Kakkar, Advocate and
Mr. Mohit Jaggi, Advocate for the appellant(s) in LPA-3139-2025,
LPA-3143-2025, LPA-3144-2025, LPA-3145-2025, LPA-3148-
2025, LPA-3169-2025, LPA-3189-2025 and LPA-3190-2025.
Mr. Sharndeeep Singh, Advocate for
Mr. Devender Kumar, Advocate for the appellant(s)
in LPA-3238-2025.

Mr. Neeraj Goel, Advocate for the appellant(s) in LPA-3016-2025,
LPA-3024-2025, LPA-3025-2025, LPA-3032-2025, LPA-3037-
2025, LPA-3004-2025, LPA-3009-2025 and LPA-3070-2025.

Mr. Aftab Singh Khara, Sr. DAG, Punjab.

Ms. Anu Chatrath, Sr. Advocate with
Mr. Ratik Chatrath Kapur, Advocate for the respondent/PSPCL in
LPA Nos.3004, 3009, 3016, 3024, 3025, 3032 & 3037 of
2025.

Mr. Rahul Sharma, Sr. Advocate with
Mr. Karundeep Singh, Advocate for the respondents in
LPA-3016-2025, LPA-3024-2025, LPA-3025-2025, LPA-3032-
2025, LPA-3037-2025, LPA-3004-2025, LPA-3009-2025 and
LPA-3070-2025

Mr. Maninder Singh Garcha, Sr. Advocate with
Ms. Priyanka Malik, Advocate and
Ms. Mehak Kanwar, Advocate
for respondents No.1 to 3 in LPA-3258-2025 and
for respondents No.1 to 3 in LPA-3259-2025,
for respondents No.1 to 4 in LPA-3271-2025,
for respondents No.1 to 5 in LPA-3273-2025,
for respondents No.1 to 3, 5 to 7 & 9 in LPA-3275-2025,
for respondents in the appeals in LPA-3236-2025, LPA-3240-
2025, LPA-3244-2025, LPA-3245-2025 and LPA-3238-2025.

Mr. Raina S. Thakur, Advocate for respondents/PSPCL
in LPA Nos.3143, 3144, 3169, 3139 & 3145 of 2025.

Mr. Bhanu Pratap Singh, Advocate
for respondents No.1 to 3 in LPA-3214-2025.

Mr. Manan Bhardwaj, Advocate for the respondents
in LPA-3148-2025.

**DEEPAK MANCHANDA, J.**

1. By this common order, the aforementioned 27 Letters Patent Appeals shall stand disposed of. As all the 27 intra-court appeals involve similar questions of law; therefore, the facts of LPA No. 3004-2025 are being considered for the adjudication of all these appeals.

2. Through this intra-court appeal, the appellant(s) have challenged the impugned judgment dated 22.09.2025 passed by the learned Single Judge, whereby the writ petition preferred by the appellant(s), seeking regularization of their services in view of the Punjab Government Policy dated 04.03.1999, was dismissed.

3. The brief facts emerging from the pleadings of the present appeal are that the appellant(s) were engaged between 1997 and 2014 as part-time workers by the respondent-Corporation for various essential services. The Punjab Government had framed a policy dated 04.03.1999 for the regularization of part-time workers who had completed ten years or more of continuous service, subject to fulfilment of certain conditions such as 80% attendance, medical fitness, and suitability for Class-IV posts. The respondent-Corporation adopted the said policy and subsequently ratified it through Office Order dated 07.05.2014 and Board Resolution dated 10.06.2014, whereby a cut-off date of 10.04.2006 was introduced, restricting regularization only to those employees who had completed ten years of service by that date. Since the appellant(s) completed ten years of service after 10.04.2006, they were excluded from consideration. Aggrieved thereby, they filed CWP-14588-2024, which came to be dismissed by the learned Single Judge vide judgment dated 22.09.2025.

Hence, the present intra-court appeal has been preferred challenging the said judgment.



4. Learned counsel for the appellant(s) contends that the learned Single Judge has wrongly treated the cut-off date of 10.04.2006 as a universal limitation, whereas the observations of the Division Bench of this Court in LPA-95-2019 were context-specific and applicable only to that particular batch of cases. He further submits that the learned Single Judge failed to appreciate that no general exclusion for future cases was ever intended, and has erroneously relied upon the judgment of the Supreme Court in ***Union of India vs. Ilmo Devi, 2021 (4) SCT 312***, which pertains to casual workers without any governing policy framework, while the appellant(s) are covered under a statutory policy adopted by the respondent-Corporation in 2014. It is also argued that the appellant(s) are not daily wagers, but part-time employees governed by the Government policy, and that the respondent-Corporation has already regularized 352 similarly situated workers, having identical service conditions, yet the same benefit was arbitrarily denied to the appellant(s) without any rational justification. Learned Counsel contends that the cut-off date was neither a part of the policy nor had any nexus with the object of regularization, and therefore, its application is wholly unwarranted. He accordingly prays for setting aside the impugned judgment and for issuance of a direction to the respondent-Corporation to consider all eligible appellant(s) for regularization under the 1999 Policy, without applying the cut-off date of 10.04.2006.

5. Per contra, learned Senior Counsel for the respondent-Corporation submits that the judgment in LPA-95-2019 has attained finality as the SLP filed against the said judgement vide (SLP (C) No. 10147-2023) was dismissed on 11.08.2023. She maintains that the Corporation has fully complied with the



said decision by considering only those part-time workers ,who had completed ten years of service as on 10.04.2006. She argues that the 1999 Policy limited regularisation to 25% of Class-IV vacancies, and any extension beyond this ceiling would violate the policy. According to her, employees like the present appellants, who completed ten years post-2006, were rightly excluded.

6. Heard.

7. The impugned judgment reveals that the learned Single Judge dismissed the writ petitions relying upon the decisions in ***Union of India v. Ilmo Devi, 2021 (4) SCT 312, LPA-95-2019 (Punjab State Power Corporation Ltd. v. Surinder Singh), and the Policy dated 04.03.1999.*** The Single Judge held that part-time workers not working against sanctioned posts and performing duties for only a few hours a day are not entitled to regularisation. The Division Bench in LPA-95-2019 had expressly directed that only those part-time workers who had completed ten years of service with at least 80% attendance as on 10.04.2006 be considered for regularisation. The extract from the impugned judgment correctly summarises these principles and same are reproduced hereinbelow:—

*“10. The question of whether part-time workers can be regularized is no longer res integra. In the **Ilmo Devi’s case (supra)** a Two-Judge Bench of the Hon’ble Supreme Court speaking through Justice M.R. Shah has held as follows with regards to the regularization of part-time Sweepers who were working for less than five hours a day:*

“8.6 In the case of Daya Lal & Ors. (supra), in paragraph 12, it is observed and held as under:—

‘12. We may at the outset refer to the following well-settled principles relating to regularisation and parity in pay, relevant in the context of these appeals:

(i) The High Courts, in exercising power under Article 226 of the Constitution, will not issue directions for regularisation, absorption or permanent continuance, unless the employees claiming regularisation had been appointed in pursuance of a regular recruitment in accordance with relevant rules in an open competitive process, against sanctioned vacant posts. The equality clause contained in Articles 14 and 16 should be scrupulously followed and Courts should not issue a direction for regularisation



of services of an employee which would be violative of the constitutional scheme. While something that is irregular for want of compliance with one of the elements in the process of selection which does not go to the root of the process, can be regularised, back-door entries, appointments contrary to the constitutional scheme and/or appointment of ineligible candidates cannot be regularised.

(ii) Mere continuation of service by a temporary or ad hoc or daily-wage employee, under cover of some interim orders of the court, would not confer upon him any right to be absorbed into service, as such service would be “litigious employment”. Even temporary, ad hoc or daily-wage service for a long number of years, let alone service for one or two years, will not entitle such employee to claim regularisation, if he is not working against a sanctioned post. Sympathy and sentiment cannot be grounds for passing any order of regularisation in the absence of a legal right.

(iii) Even where a scheme is formulated for regularisation with a cut-off date (that is a scheme providing that persons who had put in a specified number of years of service and continuing in employment as on the cut-off date), it is not permissible for others who were appointed subsequent to the cut-off date to claim or contend that the scheme should be applied to them by extending the cut-off date or seek a direction for framing of fresh schemes providing for successive cut-off dates.

(iv) Part-time employees are not entitled to seek regularisation as they are not working against any sanctioned posts. There cannot be a direction for absorption, regularisation or permanent continuance of part-time temporary employees.

(v) Part-time temporary employees in government-run institutions cannot claim parity in salary with regular employees of the Government on the principle of “equal pay for equal work”. Nor can employees in private employment, even if serving full time, seek parity in salary with government employees. The right to claim a particular salary against the State must arise under a contract or under a statute.

[See *State of Karnataka v. Umadevi* (3), (2006) 4 SCC 1; *M. Raja v. CEERI Educational Society*, (2006) 12 SCC 636; *S.C. Chandra v. State of Jharkhand*, (2007) 8 SCC 279; *Kurukshetra Central Coop. Bank Ltd. v. Mehar Chand*, (2007) 15 SCC 680 and *Official Liquidator v. Dayanand*, (2008) 10 SCC 1].’

8.7 Thus, as per the law laid down by this Court in the aforesaid decisions, part-time employees are not entitled to seek regularization as they are not working against any sanctioned post and there cannot be any permanent continuance of part-time temporary employees. As held, part-time temporary employees in a Government-run institution cannot claim parity in salary with regular employees of the Government on the principle of “equal pay for equal work”.”

(Emphasis added)

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14. In the present case, the respondent/Corporation had challenged the decision in CWP No. 2828 of 2016 before a Division Bench of this Court. The Court, while dismissing the appeal vide judgment dated 23.12.2022 in LPA No. 95 of 2019 (Annexure P-5), held as follows:



“... The act and conduct of the Corporation and also the manner in which they kept the part-time employees hanging, subject to the decision of the contempt, also does not behove a model employer. The resolution dated 23.07.2015 would go on to show that the moment the contempt petition was disposed of in view of the non-speaking order passed, the appellants chose to rescind the earlier decision and deny all the benefits of consideration for regularization by abolishing the vacant posts of Malis and Sweepers, though as per the judgment in Umadevi's case (supra), they were to take necessary steps to regularize them. In such circumstances, it is apparent that employees who had completed 10 years on 10.04.2006 were to be considered for the purpose of regularization, which the Corporation has not done while relying upon Clause 2(a)(iv), which already stood quashed. The decision to adopt the policy on 07.05.2014, as argued by the counsel, cannot be held to be prospective, as the appellant was under an obligation to comply with the decision of the Apex Court. Once the policy of the State dated 04.03.1999 was adopted, the employees who had completed 10 years on 10.04.2006 were given a fresh lease of life in view of the directions of the Apex Court as there was to be a one-time measure and the same could not be pushed 8 years later to the year 2014. Resultantly, the right of the writ petitioners arose to seek a mandamus upon the strength of the policy adopted by the Corporation and the law laid down by the Constitutional Bench.

... Once the policy itself was there that the part-time employees were also to be regularized and was already in vogue on 04.03.1999, prior to the judgment in Umadevi's case (supra) also, it was the bounden duty of the Corporation to enforce it in view of the judgment of the Constitution Bench. By delaying the said decision for a period of 8 years, in spite of the fact that directions were being issued time and again against them, would only go on to show the defiant nature of the Corporation against the settled principles, which cannot be appreciated in any manner. Thus, once Powercom itself accepted its liability, it is for it to comply with the directions issued by the learned Single Judge. Accordingly, the present appeals are dismissed with the following directions:—

(i) That the Powercom shall firstly consider all employees, including those of the erstwhile PSEB, for regularization who were working with it for a period of 10 years as on 10.04.2006 in view of the judgment in Umadevi's case (supra), without any bar whether they were employed through employment exchange or through open advertisement in the press, as they can be considered as irregular appointments on account of the length of the service.

(ii) Secondly, on account of the adoption of the policy on 07.05.2014, the employees are entitled for a writ of mandamus for similar consideration as per the policy dated 04.03.1999 and, therefore, the employees who had completed 10 years and had the requisite 80% attendance on 10.04.2006 would necessarily be considered, and the stand that it would only be prospective from the date of adoption on 07.05.2014 is rejected.



(iii) Resultantly, the notice dated 02.02.2018, whereby the decision was taken to outsource the part-time employees without adjusting them and regularizing their services in pursuance of the directions of the Apex Court in Umadevi's case (supra), is also held to be bad and illegal.” (Emphasis added)

15. Thus, this Court is of the opinion that the respondent/Corporation has sufficiently complied with the decision of the Division Bench of this Court in LPA No. 95 of 2019 by regularizing 352 part-time employees. The Division Bench's judgment is based on the decision in Umadevi's case (supra) and the Court had clearly stated that those employees who had completed 10 years and had the requisite 80% attendance on 10.04.2006 were to be considered for regularization by the respondent/Corporation under the policy dated 04.03.1999 (Annexure P-1). This Court finds merit in the argument of the learned counsel for the respondents that the object of the policy has been duly achieved and the respondent/Corporation cannot be faulted for rejecting the claim of petitioners who had not completed 10 years of service on 10.04.2006. If the petitioners are directed to be regularized, it would exceed the 25% ceiling created in the 1999 Policy and result in a violation of the said policy.

xxx xxx xxx

CONCLUSION

21. In view of the foregoing discussions, the questions framed above are answered in the following terms:

(i) Part-time workers not working against any sanctioned posts for a few hours in a day are not entitled to seek regularization of their service in view of the law settled by the Hon'ble Supreme Court.

(ii) The petitioner(s) cannot be granted regularization in light of the judgment of the Division Bench in LPA No. 95 of 2019 since the respondent/Corporation has sufficiently complied with the decision and considered the claims of those employees who had completed 10 years of service and had the requisite 80% attendance on 10.04.2006.

(iii) This Court cannot issue a writ of mandamus compelling the respondent/Corporation to create or sanction posts.”

8. A bare perusal of the impugned judgment shows that the learned Single Judge dismissed the petition filed by the appellant(s) on the ground that part-time workers, who are not working against any sanctioned posts and who render services only for a few hours a day, are not entitled to seek regularization of their services. The Court relied upon the settled law laid down by the Hon'ble Supreme Court in ***Ilmo Devi's case (supra)***, wherein it has been specifically held that temporary, ad hoc, or daily-wage service for one or



two years does not entitle an employee to claim regularization if he is not engaged against a sanctioned post. The Hon'ble Supreme Court further clarified that sympathy or sentiment cannot form the basis for directing regularization in the absence of a legal right. In the present case as well, no such legal right accrues in favour of the appellant(s), and the learned counsel for the appellant(s) could not demonstrate the existence of any enforceable legal right entitling them to regularization.

9. In *Ilmo Devi's case (supra)*, the Supreme Court further clarified that employees appointed after the cut-off date cannot demand extension of the scheme or the framing of successive schemes to accommodate them. This squarely answers the appellants' contention.

10. We concur with the learned Single Judge as the appellants did not complete ten years of service on 10.04.2006, the cut-off date upheld in LPA-95-2019, and therefore do not fall within the eligible category. They are also not working against sanctioned posts. During proceedings no legal right has been demonstrated that would entitle them to seek regularisation contrary to settled law.

11. Further, it has also been clarified by the learned Single Judge that in compliance of the judgment passed in LPA-95-2019, the only 352 part-time employees who had completed ten years of service and had the requisite 80% attendance as on 10.04.2006 were regularized and the same has not been challenged by the appellant(s).

12. Moreover, the argument raised by the learned Senior counsel is also acceptable to the extent that if the appellant(s) are directed to be regularized, it would exceed the 25% ceiling created in the 1999 Policy and the



same would be in violation thereof. The learned Single Judge has rightly observed that the object of the policy was duly achieved and the act of the respondent-Corporation in rejecting the claim of the appellant(s), who had not completed ten years of service as on 10.04.2006, seems to be justified and does not warrant any interference. The learned Single Judge also noted that the writ Court cannot issue a writ of mandamus compelling the respondent-Corporation to create or sanction posts, and has rightly observed the same by relying upon the judgment passed in **BALCO Employees' Union (Regd.) vs. Union of India, (2002) 2 SCC 333**.

13. Furthermore, this Court had already addressed a similar issue in LPA-2855-2025 titled as **Ashok Kumar Vs. The Chairman Public State Power Corporation Ltd. And others**, decided on 29.10.2025. While considering the same arguments raised therein by other similarly situated appellant(s), the said appeal was dismissed, which has not been disputed by the learned counsel for the appellant(s). The relevant extract of the same is reproduced hereunder:-

“4. The appellant is stated to have been working as a part-time Sweeper on contract basis with the respondents since 01.12.1995. The Board of Directors had issued instructions on 07.02.2024 whereby a decision was taken to regularise all the part-time workers in the light of the judgment passed by this Court in LPA No. 95 of 2019 on 23.12.2022. The appellant had approached this Court by preferring Civil Writ Petition No. 13134 of 2025, which was disposed of on 23.05.2025 with a direction to respondent No. 3 to treat the petition as a representation and decide the same in accordance with law by passing a speaking order. The respondents, vide order dated 03.07.2025, rejected the claim of the appellant for regularisation on the ground that although he had completed 10 years of service, his attendance was less than 80% and, as per the relevant instructions, the services of only those employees were to be regularised who had completed 10 years of service and had 80% attendance. The relevant extract of the instructions dated 04.03.1999 regarding regularization of Class-IV part-time employees working in various Government departments is reproduced hereunder:-

‘2. After thorough consideration, Government have decided to formulate a policy for the regularization of the services of part-time workers as follows:-



(A) The part-time workers who have worked for 10 years or more will be considered for regular appointment in the concerned Department and in the concerned District against 25% Class IV vacancies which will become available hereafter, subject to the following:—
(i) that during the tenure of their employment on part-time basis for 10 years or more, their presence on duty should have been minimum 80%;
(ii) that they fulfil the qualifications for the new job as prescribed under the rules at the time of their consideration for regularization;
(iii) that they will be entitled to relaxation in upper age limit up to the number of years they have served as part-time workers;
(iv) that they had been appointed initially on part-time basis through Employment Exchange or through open advertisement in the Press; and
(v) that they are otherwise found suitable for the job.’

We are in agreement with the judgment of the Single Bench that the case of the appellant was not covered under the aforesaid instructions for regularisation inasmuch as he did not have 80% attendance and the respondents had therefore rightly declined regularisation of his services.

Consequently, the Letters Patent Appeal, being devoid of any merit, stands dismissed.”

14. As a result, the findings recorded against the appellant(s) by the learned Single Judge have become final. In an LPA, the limited scope is to examine perversity and errors in the impugned judgment passed by the learned Single Judge. After reviewing the same, it is clear that the aforementioned decision squarely covers this matter and this Court has no scope for interference.

15. It has also been noted that some of the appellant(s) to substantiate their pleas in other LPAs filed by them have placed reliance upon the judgments passed by the Hon’ble Supreme Court in SLP Civil No.5580 of 2024 titled as ***Jaggo Vs. Union of India and others and Dharam Singh and others vs. State of U.P. and another, 2025 AIR Supreme Court 3897***. We have examined the contents of the said judgments and find that same do not apply to the facts of these cases.



16. Given the above discussion, we are of the view that the learned Single Judge rightly dismissed the petitions filed by the appellant(s) and there is no perversity or error.
17. Consequently, all twenty seven Letters Patent Appeals stand dismissed.
18. All pending miscellaneous application(s) shall also stand disposed of.

(DEEPAK MANCHANDA)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

11.11.2025
sapna

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No