



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-32201-2024 (O&M)

Date of decision: 11.07.2025

Balwan @ Balwan Singh

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Ms. Jaishree Kaushik, Advocate for the petitioner(s).

Ms. Dimple Jain, DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. Seeking regularization of service in compliance to the office order dated 18.05.2020 w.e.f. from the date when a similar order was passed in favour of the persons junior to the petitioner, the instant writ petition has been filed.

2. Counsel contends that the petitioner was appointed as a Water Carrier, through Employment Exchange, on a part-time basis on 27.10.1992 and he has since then continued to discharge his functions and duties satisfactorily. The petitioner, along with other employees, had filed CWP-16429-2002 titled as 'Maya Devi and others Vs. State of Haryana and others' for the regularization of his services. The aforesaid writ petition was adjourned vide order dated 07.02.2020 on the assurance of the Learned State Counsel therein that the claim of the petitioners under the regularization Policy of 2011 would be considered. Subsequently, the order dated 18.05.2020 was passed by the respondents holding that the claim of the



petitioner herein was maintainable and he was eligible for regularisation as per the Policy of 2011. The writ petition was thus disposed of as having rendered infructuous at that stage.

3. She submits that, notwithstanding the respondents acknowledging the petitioner’s claim that he was eligible for regularization under the Policy of 2011, the needful had not been done. A legal notice was thus served by the petitioner but as no decision was taken thereupon by the respondents, the instant writ petition has been filed, giving details of the juniors who had been regularised by the respondent-department. The relevant paragraph from the writ petition is extracted as under:-

“That, here it is pertinent to mention that number of juniors to the petitioner who were appointed, much after the petitioners and their services were regularized prior to the Petitioner. Here, it is pertinent to mention that one Rajpal S/o Partap Singh who was junior to the petitioner and his claim was rejected in the Order dated 27.05.2020 (P-4). The official Respondents had issued the appointment order to him ignoring the claim of the Petitioner. The relevant chart is reproduced as under:

Sr. No.	Name & Address	Date of Appointment	Place of Posting	Date of Regularisation
1	Rajpal s/o Partap, VPO Palli (HISAR)	09.01.1996 Part Time Water Carrier	Ayurvedic Dispensary, Palli (Hisar)	Vide Office Order No: 79/R()/E-3/AY/HR/2024/3 8023, Dated: 28.10.2024
2	Rajkumar s/o Jogiram, VPO Palli (HISAR)	09.01.1996 Part Time Sweeper	Ayurvedic Dispensary, Palli (Hisar)	Vide Office Order No: 79/R ()/E-3/AY/HR? 2018/2 4998, Dated: 03.08.2018



The true photocopy of the Office Order dated 28.10.2024 vide which the services of Rajpal are regularized is attached as Annexure P-6.”

4. In the reply filed by the respondents, the specific assertion made by the respondent(s) is as under:-

“4. That in compliance of court order dated 15.05.2017 passed by Hon'ble Punjab and Haryana High Court in CWP No. 17404 of 2012 titled as Het Ram Sharma and others Vs. State of Haryana and others and the decision taken by the Haryana Government vide Notification No. GSR.9/Const./Art.309/2011 dated 29.07.2011 and as per advice received from O/o Chief Secretary to Govt. Haryana vide their U.O. No. 6/7/2015-1GS1/48036 dated 15.05.2018 state level final seniority lists of 440 Part Time Sweepers and 466 Part Time Water Carriers were prepared. On the basis of this seniority list, services of 22 part time Sweepers and 23 part time Water Carriers were regularized against 45 sanctioned vacant posts of Group-D from 29.07.2011 as per their seniority and eligibility, which is annexed as Annexure R-1 dated 03.08.2018 and Annexure R-2 dated 27.08.2018.

In CWP No. 38120 of 2018 titled as Balkar Singh and others Vs. State of Haryana and others in compliance of the Hon'ble High Court orders, one Rajmal S/o Sh. Ram Roop was also regularized dated 10.05.2019, as earlier his name was



not considered, as District Ayurvedic Officer, Jind has not given the information of Rajmal and after that his name was considered and accordingly total 24 part time water carrier and 22 part time sweeper were regularized.

Further, in CWP No. 28843 of 2023 titled as Subhash Chand Vs. State of Haryana and others in compliance of the Hon'ble High Court orders, one Subhash Chand S/o Sh. Meeka Ram was also regularized dated 14.08.2024, as the documents were called from the petitioner regarding his eligibility but he has stated that due to fire in his house in December 2017 all his documents were burnt and hence he cannot produce the documents regarding his appointment through the employment exchange and after that his name was considered and accordingly total 24 part time water carrier and 23 part time sweeper were regularized.

It is further submitted that in compliance of the order of Hon'ble High Court passed in CWP No. 5617 of 2021 titled as Raj Pal Singh Vs. State of Haryana and others, one Raj Pal Singh S/o Sh. Partap Singh was also regularized dated 28.10.2024 and after that his name was considered and accordingly total 25 part time water carrier and 23 part time sweeper are regularized so far.

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8. *That it is also submitted that the regularization*



policy 2011 was a one time measure on humanitarian ground, the para's 8 & 9 of the policy dated 29.07.2011, which are reproduced as under:-

"8. Since this policy is a one time measure on humanitarian ground, therefore, no person shall be entitled to claim it as a matter of right, if found unsuitable due to non fulfilment of the conditions mentioned in this notification.

9. In future, no illegal/irregular appointment/employment on adhoc/daily wages/work-charged and part-time shall be made against sanctioned posts."

5. In Para No.4 of the reply, however, it is admitted that the order of regularization of Rajpal Singh has been passed in compliance to the order passed in CWP-5617-2021 titled as 'Raj Pal Singh Vs. State of Haryana and others' and it is submitted that his name was considered and he was regularized along with 23 part-time Sweepers. It is not disputed that petitioner is senior to above Rajpal Singh.

6. No reason has been assigned as to why the petitioner has not been regularized despite the respondents finding him eligible for regularization. The specific assertion of the petitioner thus remains undisputed and uncontroverted.

7. Consequently, the instant writ petition is **allowed**. The respondents are directed to regularize the petitioner w.e.f. the date when his



juniors were regularized.

8. Let the needful be done within a period of **02 months** of the receipt of a certified copy of this order and all consequential benefits as admissible to him, be released in a further period of **02 months**.

(VINOD S. BHARDWAJ)
JUDGE

11.07.2025

Mangal Singh

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