

**CWP-9080-2022**

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

CWP-9080-2022Date of Decision : **14.05.2026****LOVE KAMAL**

.....Petitioner

VERSUS**STATE OF PUNJAB AND OTHERS**

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. R.K.Arya, Advocate,
for the petitioner.

Mr. Tejinder Pal Singh Walia, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, cast under Article 226 of the Constitution of India, a challenge is thrown to the speaking order dated 11.02.2022 (Annexure P-2), passed by respondent no.4, whereby, the legal notice seeking regularization of services of the petitioner, was rejected on the ground that the petitioner was simply engaged for undertaking Data Entry Maintenance work, on contract basis for a fixed period of time, being an enlisted contractor, and his services, so provided as an Enlisted Contractor, cannot be regularised.

2. Learned counsel for the petitioner submits that the grounds taken by the respondent-department in not regularising the services of the petitioner is, in fact, incorrect. It is contended that he was working as an employee of the respondent-department as a Data Entry Operator.



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Therefore, according to him, the petitioner is entitled to regularisation of service in view of the various policies adopted by the State of Punjab.

3. This Court, at the outset, directed the learned counsel for petitioner to refer to any appointment letter, if issued to him, so that the exact status of the petitioner could be ascertained. However, he was unable to produce or refer to any such appointment letter. On the other hand, the respondents, in their reply, have placed on record the work order dated 04.05.2020, whereby, the application submitted by the petitioner for renewal of Contractor Class-III was renewed upon payment of the prescribed renewal fee by the petitioner. . The relevant is extracted hereinafter:

“Love Kamal s/o Sh.Dhaam Pal, Village Fateh Nangal, P.O. Teh. & Distt.Gurdaspur, has made an application for renewal as contractor “Class-III” for Water Supply Sanitation Operation & Maintenance. The particulars are mentioned in the application has been found fit to be renewal as contractor “Class-III. The necessary renewal fee has been deposited vide Divisional Engineer W/S & Sanitation Sub Division No.1, Gurdaspur, receipt No.663/49, Date.15.04.2020. The deposit of prescribed amount of the renewal has been verified. The certified is therefore hereby granted in the terms and conditions mentioned in the application form and shall be valid for the year 2020-2021 (01.04.2020 to 31.03.2021)

Enlistment No. 50	Dated: 04.05.2020
Full Name & Address	Sh. Love Kamal s/o Sh.Dharam Pal, Village Fateh Nangal, P.O. Teh. & Distt. Gurdaspur.
Area Covered by the Contractor	Water Supply Sanitation Division Gurdaspur
Class of Category	“Class-III Rs.1.00 Lac.”
Hereby Indicate where for Sanitary and Water Supply for furniture and electric works.	Only for O&M of W/S & Sanitation works on contractual basis.

4. A perusal of the above clearly reveals that the petitioner was not employed by the respondent-department; rather, he was an enlisted



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Class-III contractor. The respondent-department had taken a policy decision to assign the data entry work to newly appointed/promoted employees, and accordingly, there was no requirement for Data Entry Maintenance Work for the Financial Year 2021–2022. Therefore, no fresh tender for Data Entry Maintenance Work was floated for the said financial year.

5. Since the petitioner was merely an enlisted contractor, he cannot claim regularisation of service. Accordingly, the respondent-department has rightly rejected the claim of the petitioner by passing the speaking order dated 11.02.2022.

6. Accordingly, finding no merit in the instant petition, requiring this Court to interfere into the well reasoned order (*supra*), the same, is hereby **dismissed**.

7. All pending application(s), if any, also stand **disposed** of accordingly.

May 14, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

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