

CWP-16138-2026

2026:PHHC:082917



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

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Date of Decision: **22.05.2026**

Charan Singh

....Petitioner

VERSUS

Punjab Small Industries and Export Corporation and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. P.S. Khurana, Advocate for the petitioner.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of *certiorari* for setting aside the speaking order dated 05.06.2025 (Annexure P-1) passed by respondent No.2 whereby the representation of the petitioner for regularization of the services of petitioner w.e.f. 2002 has been rejected as being illegal, arbitrary and contrary to the service Rules. Further praying for issuance of a writ in the nature of *mandamus* to regularize the services of petitioner from 2002 and also to grant the petitioner, pay scale as admissible to the similarly situated employees either from 2002 or from 01.07.2013 along with all consequential benefits and to grant the interest @ 12% per

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annum from 2002 till the realization of the payment in view of the statutory provisions of law and law laid down by this Court in catena of judgments.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner joined the respondent-Corporation in the year 1993 as T. Mate on daily wage basis and was subsequently brought on work-charged establishment in the year 2015. The petitioner, along with other similarly situated employees, filed **CWP-10494-2002** before this Court seeking regularization of their services and the said writ petition was allowed vide judgment dated 29.08.2013 (Annexure P-2). However, the claim of the petitioner for regularization was rejected by the respondents vide office order dated 26.05.2017 (Annexure P-3) on the ground that the petitioner did not possess the essential qualification of 8th pass (Middle Pass). Aggrieved against the said order, the petitioner approached this Court by filing **CWP-19058-2018** challenging the rejection of his claim for regularization from the date of his initial appointment. During the pendency of the said writ petition, the services of the petitioner came to be regularized w.e.f. 01.07.2013 vide order dated 01.04.2022 and consequently, the writ petition was disposed of vide order dated 11.03.2024 (Annexure P-6) with liberty to the petitioner to submit a representation before the competent authority. Pursuant thereto, the petitioner submitted a representation followed by a legal notice dated 08.04.2025 (Annexure P-8). However, the respondents rejected the claim of the petitioner vide impugned order dated 05.06.2025 (Annexure P-1). Learned counsel further submits that once the services of

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the petitioner stood regularized, denial of regularization from the date of initial appointment is wholly arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India, especially when similarly situated employees have been granted the said benefit. It is further contended that the impugned order suffers from non-application of mind and is liable to be set aside

3. I have heard learned counsel for the petitioner and have gone through the paper-book as well as the pleadings on record with able assistance.

4. A perusal of the record reveals that the petitioner joined the services of the respondent-Corporation in the year 1993 and had initially sought regularization by filing CWP-10494-2002. However, the claim of the petitioner for regularization was rejected on the ground that he did not possess the essential qualification of 8th pass (Middle Pass) vide office order dated 26.05.2017 (Annexure P-3). Aggrieved thereof, the petitioner approached this Court by way of CWP-19058-2018 challenging the rejection of his claim for regularization from the date of initial appointment. During the pendency of the said writ petition, the respondents regularized the services of the petitioner w.e.f. 01.07.2013 vide order dated 01.04.2022. A perusal of the impugned speaking order further indicates that the respondent-Corporation had issued an appointment letter dated 02.08.2021 subject to the specific condition that the same would be treated as a fresh

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appointment and that no benefit whatsoever of the previous service, whether notional or otherwise, would be admissible to the petitioner. The petitioner accepted the said terms and conditions without any demur and consequently joined pursuant thereto. Admittedly, the petitioner has not challenged the appointment letter dated 02.08.2021 till date. It is also not disputed that the petitioner retired from service in the year 2025. Further, there is no denial to the fact that the petitioner did not possess the minimum educational qualification of 8th pass (Middle Pass) prescribed for the post against which he has been regularized. The respondents-Corporation, nevertheless, regularized the services of the petitioner along with other similarly situated 40 work-charged employees w.e.f. 01.07.2013.

5. In view of the aforesaid facts and circumstances, particularly the fact that the petitioner accepted the appointment letter dated 02.08.2021 containing the stipulation that no benefit of past service shall be admissible and has not challenged the same before this Court, this Court is of the considered opinion that no interference is warranted in exercise of writ jurisdiction under Articles 226/227 of the Constitution of India. Once the petitioner accepted the terms and conditions of appointment and acted upon the same, he is estopped from claiming any benefit contrary thereto at this belated stage.

6. Accordingly, the present writ petition being devoid of any merit stands dismissed.

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7. Pending miscellaneous application(s), if any, shall also stand disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

22.05.2026
Puneet Chawla

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