



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-13843-2026 (O&M)
Date of decision: 05.05.2026

Amit Saini and others

....Petitioners

Versus

Municipal Corporation, Pathankot and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Singla, Advocate
and Ms. Tanya Sehgal, Advocate
for the petitioners.

Mr. Sarbuland Singh Mann, Advocate
for the respondents.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *mandamus*, directing the respondents to regularize the services of the petitioners along with all the consequential benefits under The Punjab Ad Hoc, Contractual, Daily Wage, Temporary, Work Charged and Outsourced Employees' Welfare Act, 2016.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners were appointed against duly sanctioned posts in Municipal Corporation, Pathankot after following the prescribed procedure. All the petitioners possess the requisite educational qualifications and they have been working continuously from the last 15-18 years, as is evident from the Annexure P-1. He further submits



that the State of Punjab has enacted The Punjab Ad Hoc, Contractual, Daily Wage, Temporary, Work Charged and Outsourced Employees' Welfare Act, 2016, which provides for regularization upon completion of three years of service, and the petitioners, having completed the said period, had submitted representations for regularization dated 16.02.2017 (Annexure P-2), however, no decision has been taken thereupon. He further contends that similarly situated employees of Municipal Corporation, Bathinda, appointed in the year 2013, were regularized vide Resolution dated 08.05.2017 (Annexure P-3). Although the Government initially did not accord approval due to pendency of CWP No.4187 of 2017 (Annexure P-4), however, the same has been subsequently granted after filing of CWP No.11106 of 2021 (Annexure P-5). The petitioners have also submitted representation (Annexure P-6) by stating that the employees working in Municipal Corporation, Bathinda, have been regularized, however, the respondents have failed to take any action. He further submits that the Employees Provident Fund contributions are being deducted from the salaries of the petitioners as is evident from Annexure P-7. The petitioners have rendered satisfactory and unblemished service while discharging their duties and perennial work is being extracted from the petitioners at par with their regular counterparts. The petitioners are neither engaged as a part-time workers nor as a casual labourers and there has been no complaint or adverse remarks against the petitioners till date. Learned counsel for the petitioners further submits that similarly situated



employees of Municipal Corporation, Bathinda have filed **CWP No.30248 of 2025, CWP No.38707 of 2025 and CWP No.5998 of 2026**, which have been allowed by this Court vide common order dated 05.03.2026 (Annexure P-8) and despite submission of a fresh representation dated 12.04.2026 (Annexure P-9), the respondents have not adhered to the settled position. He further relies upon the judgment rendered by this Court in **CWP-12434-2022**, titled as ***Akash Sharma vs State of Punjab***, decided on **13.02.2026**, wherein it has been held that The Punjab Ad Hoc, Contractual, Daily Wage, Temporary, Work Charged and Outsourced Employees' Welfare Act, 2016, still holds the filed and has the force of law. The judgment in ***Akash Sharma's case (supra)*** has already been upheld by the Division Bench of this Court in **LPA-891-2026**. It is, thus, contended that denial of regularization to the petitioners, who have been serving for more than a decade, is arbitrary and violative of Articles 14 and 21 of the Constitution of India.

2.1. Learned counsel for the petitioners, at this stage, submits that he would be satisfied if the representation dated 12.04.2026 (Annexure P-9) of the petitioners is decided by respondent No.2 by passing a speaking order in a time bound manner.

3. Mr. Sarbuland Singh Mann, Advocate, on an advance notice, has put in appearance on behalf of the respondents and file Memo of Appearance, which is taken on record. The Registry is directed to tag the same at appropriate place.



4. Learned counsel for the respondents submits that he has no objection, in case a direction is issued to the respondent No.2 for time-bound consideration and decision of the representation dated 12.04.2026 (Annexure P-9) of the petitioners by passing a speaking order.
5. Keeping in view the limited prayer made by learned counsel for the petitioners, the respondent No.2 is directed to consider the representation dated 12.04.2026 (Annexure P-9) of the petitioners and pass a speaking order in the light of the judgment rendered by this Court in **CWP-30248-2025**, titled as ***Harjinder Singh Sidhu vs Municipal Council, Bathinda and another***, decided on **05.03.2026**, and ***Akash Sharma's case (supra)***, after affording an opportunity of hearing to the petitioners, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to say, if the petitioners are found covered by the aforesaid judgments, they shall be regularized within a period of six weeks.
6. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

05.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No