



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

LPA-1475-2026(O&M)

Date of decision:21.05.2026

SURESH KUMAR AND OTHERS

...Appellants

Vs.

HARYANA GRAMIN BANK AND ANOTHER

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mrs. Kiran Bala Jain, Advocate
for the appellants.

Mr. Bhusha Bhatia, Advocate
for respondents.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The appellants are aggrieved by the judgment of the learned Single Judge dated 22.04.2026 passed in CWP-26310-2015 wherein the Court has refused to issue any direction for regularizing the services of the appellants. The appellants admittedly were engaged as part-time messengers-cum-sweepers and as per the claim of the petitioners-appellants, they have been working for nearly two decades.

2. The authorities have not accepted the claim of the appellants on the ground that the engagement itself is part-time and there are no rules which provide for regularizing the services of such employees.

3. Learned counsel for the appellants has placed reliance upon an award passed by the National Industrial Tribunal to contend that persons similarly placed have been directed to be regularized.

4. In the facts of the case, we find that various disputed aspects would require adjudication, including the nature of appointment offered to the

appellants and the rights which have crystallized on the strength of working for a substantially long period. Whether the award of the National Industrial Tribunal would be applicable in the facts of the present case will also depend upon factual adjudication.

5. In such circumstances, we are of the view that appropriate course for the appellant was to have approached the competent Industrial Tribunal/Labour Court, where the claim of the appellants for enforcement of the award of the National Industrial Tribunal could be examined.

6. In such view of the matter and particularly, as disputed questions would require leading of evidence, we decline to interfere in the matter, even though the petition had remained pending for nearly ten years before the learned Single Judge.

7. The present appeal is accordingly disposed of with the observation that in case the appellants approach the competent Industrial Tribunal/Labour Court for establishment of their rights, including regularization, the same shall be entertained on merits and shall be dealt with, after notice to the employer, at the earliest convenience in accordance with law. The judgment of the learned Single Judge shall not come in the way of consideration of the appellants' claim on merits.

8. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

21.05.2026
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Whether speaking/reasoned :
Whether Reportable :

Yes No
Yes No