

CWP-26310-2015(O&M)

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

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**CWP-26310-2015(O&M)
Date of decision: 22.04.2026**

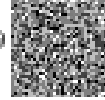
Suresh Kumar & ors.**... Petitioners****Vs.****Haryana Gramin Bank & anr.****... Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Keshav Pratap Singh, Advocate and
Mr. Nitin Sansanwal, Advocate
for the petitioners.

Mr. Bhushan Bhatia, Advocate
for the respondents (through VC).

HARPREET SINGH BRAR, J. (ORAL)

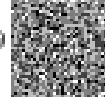
1. The present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to regularize the services of the petitioners on the post of messengers-cum-sweepers from the date of their engagement, in light of the implementation of the National Industrial Tribunal (NIT) award. The petitioners specifically rely upon paragraphs 4.410, 4.425, 4.426, 4.427 and 4.428 of the said award, which according to them, mandate the regularization of part-time sweepers-cum-messengers with effect from the date of their continuous engagement. Further directions are sought for implementation of the NIT award and for following judicial precedents on the point.



2. Learned counsel for the petitioners contends that petitioner No.1 has been working with the respondent-bank as a part-time messenger since the year 2004. He submits that on the directions issued by the Hon'ble Supreme Court, the Central Government constituted the National Industrial Tribunal to examine the disparity in pay structures, salaries, allowances and other benefits payable to the employees of Regional Rural Banks in comparison with the employees of nationalized banks and sponsoring banks. Referring to the award reproduced at page 12 of the paper book, learned counsel submits that paragraph No.4.410 thereof clearly recommends that perennial work is extracted from employees even beyond working hours, and since they have been working full-time, their services are deserve to be regularized from the date of their continuous engagement.

2.1 Learned counsel further refers to the judgment of a Division Bench of this Court in *LPA-1306-1991* titled ***Board of Management Ambala-Kurukshetra Gramin Bank vs. Ram Pal Messenger and others***, decided on 02.02.1994 (Annexure P-1), and a Division Bench of the Rajasthan High Court in *J.T.G. Bank vs. Shri Mahaveer Singh and another, Civil Special Appeal (Writ) No.67-2005*, decided on 25.08.2006 (Annexure P-2) and submits that the appeals filed by respective banks therein were dismissed after considering the pay disparity amongst employees of Gramin Banks as well as the award passed by the NIT.

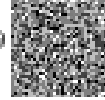
2.2 Learned counsel for the petitioners has also produced a certificate dated 21.10.2010 issued by the respondent-bank which clearly indicates that



petitioner No.4, namely Dalip Singh has been engaged as casual labourer with it since 13.11.1995. He further refers to various receipts and the voucher register to submit that all petitioners have been receiving their emoluments in cash from the respondent-bank. The said documents are taken on record as Mark 'X' (colly). The Registry is directed to tag the same at an appropriate place in the paper book.

3. *Per contra*, learned counsel for the respondents submits that the certificate dated 21.10.2010 (Mark 'X' colly) produced by the petitioners clearly indicates that petitioner No.4- Dalip Singh was engaged as a casual labourer. Further, the receipts (Mark 'X' colly) only prove that petitioner No.1-Suresh Kumar was paid in cash on account of labour charges. Learned counsel argues that the petitioners were never engaged as part-time messengers-cum-sweepers, and thus, they cannot be granted any benefit under the recommendations of the NIT, which was constituted to examine the disparity among existing employees of the bank. In the absence of any appointment letter, no employer-employee relationship is made out between the petitioners and the respondent-bank.

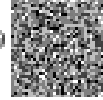
4. Having heard learned counsel for the parties and after perusing the record, it transpires that the petitioners have claimed that they were employed by the respondent-bank as part-time messengers-cum-sweepers from the year 1998 onwards. However, the petitioners have failed to produce any document which establishes that they were engaged by the respondent-bank directly, on contract or through an outsourcing agency. The documents



put forth by learned counsel for the petitioner i.e. certificate dated 21.10.2010, receipts and pages from the voucher register (Mark 'X' colly) merely proves that the petitioners were engaged as casual labourers and were paid in cash for the work extracted from them. Nothing on the record provides any information regarding the nature of their employment; thus, in absence thereof, it would be unsuitable for this Court to consider the case of the petitioners for regularization.

6. This Court has already considered the issue of regularization of part-time sweepers *in extenso* in **CWP-7614-2024**, titled **Surinder Singh vs. Punjab State Power Corporation Limited and others** decided on 22.09.2025, which was upheld by the Division Bench of this Court in an intra-court appeal filed by part time sweepers, in LPA-3004-2025, titled **Nathi Ram and others vs. Punjab State Power Corporation Limited and others**, decided on 11.11.2025. The relevant part of **Nathi Ram (supra)** is reproduced below:

*“8. A bare perusal of the impugned judgment shows that the learned Single Judge dismissed the petition filed by the appellant(s) on the ground that part-time workers, who are not working against any sanctioned posts and who render services only for a few hours a day, are not entitled to seek regularization of their services. The Court relied upon the settled law laid down by the Hon’ble Supreme Court in **Ilmo Devi’s case (supra)**, wherein it has been specifically held that temporary, ad hoc, or daily-wage service for one or two years does not entitle an employee to claim regularization if he is not engaged against a sanctioned post. The Hon’ble Supreme Court further clarified that sympathy or sentiment cannot form the basis for directing regularization in the absence of a legal right. In the present case as well, no such legal right accrues in favour of the appellant(s), and the learned counsel for the appellant(s) could not demonstrate the existence of any enforceable legal right entitling them to regularization.”*



*9. In **Ilmo Devi's case (supra)**, the Supreme Court further clarified that employees appointed after the cut-off date cannot demand extension of the scheme or the framing of successive schemes to accommodate them. This squarely answers the appellants' contention.*

10. We concur with the learned Single Judge as the appellants did not complete ten years of service on 10.04.2006, the cut-off date upheld in LPA 95-2019, and therefore do not fall within the eligible category. They are also not working against sanctioned posts. During proceedings no legal right has been demonstrated that would entitle them to seek regularisation contrary to settled law."

7. In view of the discussion above, this Court is of the considered opinion that no ground for interference is made out in the present case.

Accordingly, the writ petition is dismissed, being bereft of any merit.

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

22.04.2026

monika

[**HARPREET SINGH BRAR**]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No