



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

**LPA-876-2018(O&M)
Date of decision: 21.04.2026**

State of Haryana and others

...Appellants

Vs.

Subhash and others

...Respondents

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

Present: Mr. Sanjeev Kaushik, Addl. A.G. Haryana.

**Dr. Suresh Kumar Redhu, Advocate
for respondents-petitioners.**

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2396-LPA-2018

Prayer in the present application is for condonation of delay of 24 days in filing the present appeal.

For the reasons stated in the application, the same is allowed and delay of 24 days in filing the present appeal is condoned.

Main case

1. This appeal is by the State assailing the judgment of the learned Single Judge dated 21.02.2018, wherein a direction has been issued to the State to regularize the services of respondents-petitioners, who were serving as Cook, Sweeper and Water Carrier. They have been working since 1982, 1986 and 1991 respectively. Their working for the last more than 35 years is not in dispute.

2. The only ground on which the judgment is assailed is that the qualification required for the posts is not held by the respondents-petitioners.



Learned Single Judge has observed that where the working is on the posts of Cook, Sweeper and Water Carrier and these persons have been working for the last 35 years, they cannot be non-suited only on the ground of lack of educational qualification. The undisputed working of the respondents-petitioners for nearly three decades is not disputed. On the last date when the matter was heard, we passed the following order dated 18.03.2026:-

"Learned Single Judge has allowed the writ petition by a short and crisp order, which reads as under:-

"The petitioners are serving as Cook, Sweeper & Water Carrier. They have been exploited by the police department since their initial appointments in 1982, 1986 & 1991 respectively. They have toiled continuously in Police Line, in the houses of the Officers of the police department and in Police Station, Cooking, cleaning and serving water and running errands. The position regarding continuity or work is not disputed. Even if they are treated as part-time employees, even then part-time employees are covered by the policy instructions of the Haryana Government for regularization of services promulgated from time to time. The only defence in the written statement is that they are illiterate and, therefore, their services cannot be regularized. Besides, they do not hold sanctioned posts. The experience running over decades in such category of employment i.e Cook, Sweeper and Water Carrier is sufficient -2- for educational qualification be seen as an exploiter of human resources, as it has to act as a model employer for others to emulate. Three decades of hard work deserves to be rewarded with a concession that policies of regularization promote without being hyper technical and painstakingly punctilious. Accordingly the petition is allowed. A direction is issued to the respondent to consider the cases of the petitioners for regularization in the first available policy after they had completed 10 years of service from the initial date of their respective appointments. However, financial benefits will be restricted to three years prior to the filing of the writ petition in the event of their regularization. The exercise be completed within two months from the date of receiving copy of this order."



2. Facts recited in the order of learned Single Judge are not disputed. What is argued by the State is that going by the applicable policy, the claim of the respondents/petitioners is not being considered.

3. In view of the judgment of Hon'ble the Supreme Court rendered in Jaggo vs Union of India and others 2025(1) Apex Court Judgments (SC) 808 as also the fact that the respondents are working for the last more than three decades, it would be unreasonable to deny the relief of regularization to the respondents/petitioners.

4. Faced with the observations of the Court and in the light of the judgment of Hon'ble Supreme Court, learned counsel for the State comes up with a prayer to adjourn these matters by four weeks so that the State may examine the issue and formulate appropriate policy to redress the grievance of the respondents/petitioners.

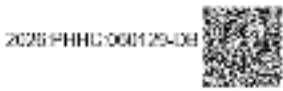
5. Adjourned to 21.04.2026.

6. The benefits already granted under the orders of the learned Single Judge shall continue to be extended to the respondents.

7. Photocopy of this order be placed on the files of connected cases."

3. Mr. Sanjeev Kaushik, learned Additional Advocate General, Haryana, has produced before us a communication sent by the Director General of Police, Haryana to the Additional Chief Secretary to Government, Haryana, Home Department, Chandigarh dated 20.04.2026, requesting for formulation of appropriate policy to carry out the directions of the learned Single Judge.

4. In view of the fact that the State itself is proposing to evolve



appropriate mechanism to carry out the directions issued by the learned Single Judge, we do not find any occasion to interfere with the judgment of the learned Single Judge, where it is undisputed that the working of the respondents is on the posts of Cook, Sweeper and Water Carrier, which does not require any specific educational qualification and their satisfactory working for nearly three decades is undisputed.

- 5. The Letters Patent Appeal is accordingly **dismissed.**
- 6. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

21.04.2026

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	Whether Reportable :	Yes	No