

Chandi Ram and Others Vs State of Haryana and Others

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Sept. 18, 2012

Hon'ble Judges: Augustine George Masih, J

Bench: Single Bench

Advocate: Raman Chawla, for the Appellant;

Judgement

Augustine George Masih, J.

Petitioners have approached this Court with a prayer that regularization of their services should be given effect

to on completion of two years of service as per the Government Instructions dated 28.07.1994 (Annexure P-1).

Petitioner No. 1 was appointed

on contract basis in Haryana Roadways on 15.07.1997 and regularized on 28.08.2001, petitioner No. 2 was appointed on contract basis in

Haryana Roadways on 17.07.1997 and regularized on 26.09.2001 and petitioner No. 3 was appointed on contract basis in Haryana Roadways

on 21.07.1998 and regularized on 21.07.2002. The grievance of the petitioners is that as per the above-mentioned instructions, they were entitled

to regularization of their services on completion of two years of service i.e. in the years 1999 and 2000 respectively. Accordingly, they have also

placed reliance upon a judgment of this Court passed in CWP No. 9912 of 2012 titled as Shamsher Singh and others vs. State of Haryana and

others, decided on 23.05.2012 (Annexure P-6). Reliance has also been placed upon the judgment passed by this Court in CWP No. 14111 of

2001 titled as Pardeep Kumar and others vs. State of Haryana and others, decided on 18.05.2009 (Annexure P-3) and the order passed in CWP

No. 18401 of 2009 titled as Mukesh Kumar vs. State of Haryana and others, decided on 10.01.2012 (Annexure P-4). Claiming the said benefit,

petitioners have submitted a representation to the General Manager, Haryana Roadways, Hissar-respondent No. 3 on 20.08.2012 (Annexure P-

5) but without any response thereto.

2. Counsel for the petitioners contends that the petitioners, at this stage, would be satisfied if a direction is issued to the General Manager, Haryana

Roadways, Hissar-respondent No. 3 to consider and decide the representation dated 20.08.2012 (Annexure P-5) within some specified time.

3. Without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the General Manager,

Haryana Roadways, Hissar-respondent No. 3 to consider and decide the representation dated 20.08.2012 (Annexure P-5) within a period of four

months from the date of receipt of certified copy of this order. The decision so taken be conveyed to the petitioners forthwith. In case the

petitioners are held entitled to the claim made by them through their representation, the consequential benefits, if any, be released to them, in

accordance with law, within a further period of two months. If the claim of the petitioners is not to be accepted, a well-reasoned and speaking

order be passed and conveyed.