

(2012) 09 P&H CK 0308

High Court Of Punjab And Haryana At Chandigarh

Case No: CWP No. 18477 of 2012

Naresh Kumar

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision: Sept. 18, 2012

Hon'ble Judges: Augustine George Masih, J

Bench: Single Bench

Advocate: Sanjiv Gupta, for the Appellant;

Judgement

Augustine George Masih, J.

Petitioner has approached this Court with a prayer that regularization of his services should be given effect to on completion of two years of service as per the Government Instructions dated 28.07.1994 (Annexure P-2). Petitioner was appointed as a Driver on contractual basis on 26.06.1999 and he continued with the respondents till the date of his regularization on 21.01.2004 on contract basis. The grievance of the petitioner is that as per the above-mentioned instructions, he was entitled to regularization of his services on completion of two years of service i.e. in the year, 2001. Accordingly, he has 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-7). 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-4) 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-5). Claiming the said benefit, petitioner has submitted a representation to the General Manager, Haryana Roadways, Delhi-respondent No. 3 on 18.03.2012 (Annexure P-6) but without any response thereto.

2. Counsel for the petitioner contends that the petitioner, at this stage, would be satisfied if a direction is issued to the General Manager, Haryana Roadways, Delhi-respondent No. 3 to consider and decide the representation dated 18.03.2012

(Annexure P-6) 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, Delhi-respondent No. 3 to consider and decide the representation dated 18.03.2012 (Annexure P-6) 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 petitioner forthwith. In case the petitioner is held entitled to the claim made by him through his representation, the consequential benefits, if any, be released to him, in accordance with law, within a further period of two months. If the claim of the petitioner is not to be accepted, a well-reasoned and speaking order be passed and conveyed.