



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

CWP-23332-2025  
Date of decision: 21.08.2025

Ashok Kumar

...Petitioner

Versus

The Chairman, Punjab State Power Corporation Ltd. and others  
...Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Mr. Bhushan Bhatia, Advocate  
for the petitioner (through V.C.).

Mr. Himmat Singh Sidhu, Advocate  
for the respondents.

**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to permit the petitioner to join duty as a regular employee in terms of appointment letter dated 15.03.2024 (Annexure P-1), further to direct the respondents to release the salary payable to the petitioner as regular employee with effect from date of issuance of appointment letter dated 15.03.2024 (Annexure P-1).

2. Briefly, the facts of the case, as alleged, are that the petitioner is working as a part time sweeper on contract basis with the respondent since 01.12.1995. Board of Directors in its 104<sup>th</sup> meeting dated 10.01.2024 vide instructions issued by letter No.193/360 dated 07.02.2024, approved regularization of part time workers in light of the decision of this Court dated 23.12.2022 in LPA 95/19 and other connected cases. The petitioner and some other class IV/sweeper/chowkidar received an appointment letter dated



15.03.2024 (Annexure P-1) in light of instructions/letter No.193/360 dated 07.02.2024 but the petitioner was not allowed to join in terms of instructions in the appointment letter.

3. Learned counsel for the petitioner *inter alia* contends that even after receiving the appointment letter on 15.03.2024 (Annexure P-1) the respondents have not allowed the petitioner to join. The respondents have been in the process of completing the records without permitting the petitioner to join duty. In compliance to the direction given by this Court dated 23.05.2025 in CWP No.15134 of 2025 the respondent passed a simple order dismissing the representation made by the petitioner on the ground that as per office order No.9 dated 07.05.2014, employees who had completed 10 years of service as on 10.04.2006 and their attendance was 80%, were to be given employment. The learned counsel for the petitioner further states that no speaking order has been passed by the respondent as directed by this court on 23.05.2025 and the action of the respondents are against the principles of natural justice. The petitioner should not have received the appointment letter if he was ineligible for the same. The contents of office order No.9 dated 07.05.2014 was never communicated to the petitioner.

4. Learned Counsel for the respondent contended that the petitioner could not fulfill the eligibility criteria of minimum 80% attendance on duty as per letter No.11/15/98-4PP3/2803 dated 04.03.1999 and thus, was rejected by the screening committee.

5. Having heard the learned counsel for the parties and after perusing the record with their able assistance, this Court finds it appropriate to study the relevant policy regarding regularization of class IV Part-time employees working in various government departments vide Punjab Government circular



letter No.11/15/98-4PP3/2803 dated 04.03.1999 and para No.2 thereof reproduced as under:-

*“2. After thorough consideration Govt. have decided to formulate a policy for the regularization of the services of Part-time workers as follows:*

*(A) The part-time workers who have worked for 10 years or more will be considered for regular appointment in the concerned Deptt. and in the concerned District against 25% Class IV vacancies which will become available hereafter subject to the following:-*

**(i) that during the tenure of their employment on part time basis for 10 years or more, their presence on duty should have been minimum 80%;**

*(ii) that they fulfill the qualifications for the new job as prescribed under the rules at the time of their consideration for regularization;*

*(iii) that they will be entitled to relaxation in upper age limit upto the number of years they have served as part time workers;*

*(iv) that they had been appointed initially on part time basis through Employment Exchange through open advertisement in the Press; and*

*(v) that they are otherwise found suitable for the job.”*

6. The Policy for regularization precisely lays down that, to be eligible for regularization, Class IV part-time employees must have maintained a minimum attendance of 80% throughout their ten-year tenure or more, of part-time service.

7. Based on the policy for regularization dated 04.03.1999, which explicitly stipulates a mandatory minimum attendance of 80% throughout the requisite ten-year or more part time service period, in accordance with the Circular No. 11/15/98-4PP3/2803 dated 04.03.1999, the order dated 03.07.2025, has been rightfully passed. Upon examination, it is conclusively



observed that the petitioner has failed to fulfil this critical eligibility criterion of maintaining 80% attendance.

8. As the foundational condition for regularization remains unfulfilled, the present petition is dismissed.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**21.08.2025**

*Neha*

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No