

COCP-3105-2024 (O&M)

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

COCP-3105-2024 (O&M)

Date of Decision: September 02, 2025

Vinod Kumar and anr.Petitioners

Vs.

Anand Mohan Sharan, IAS & ors.Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Deepak Sonak, Advocate
for the petitioners.

Mr. Harish Nain, A.A.G. Haryana

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for non-compliance of order dated 20.03.2024 passed by this Court in CWP-18040-2024.
2. The above said writ petition was disposed of in terms of the decision dated 13.03.2024 rendered in CWP No. 2158-2020 along with connected petitions. The relevant portion of order dated 13.03.2024 passed by this Court in CWP No. 2158-2020 is reproduced as under:-:-

“43. In view of the above, the writ petitions are disposed of in the terms and conditions mentioned herein before. Let the respondent-State pass appropriate speaking order as directed herein before. In case, any of the petitioner is found entitled for regularization/retrospective regularization of services from the date employees junior to him/her has been regularized, they will be granted the said date of regularization otherwise due reasons be mentioned in the speaking order keeping in mind the directions given by the Court herein before so as to decide the eligibility of each

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petitioners qua their respective claims. Further in case any of the petitioners is found entitled for regularization of his services retrospectively the said benefit shall be given notionally, no arrears will be granted to the petitioners up to the date of filing of the respective petitions. The petitioners will be entitled for fixing of their salaries from the date of regularization notionally and the arrears will only be extended from the date of filing of their respective petitions before this Court and if any of the petitioners has already retired, his/her pensionary benefits will also be fixed/ revised and arrears will also be extended from the date of filing the petition by the said petitioner.”

3. In compliance of the above order, short reply dated 20.02.2025 by way of affidavit of Sh. Naresh Kumar Ranga, IFS, Dy. Conservator of Forests, Palwal-respondent has been filed. The operative part of which reads as under:-

“3. That it is humbly submitted the answering respondent/deponent never had any intention to disobey the said order dated 20.03.2024 passed by the Hon'ble High Court. The answering respondent duly complied the order dated 20.03.2024 in CWP No. 18040 of 2015 and passed an office order/speaking order No. 10 dated 12.06.2024 in this regard. The copy of the office order No. 10 dated 12.06.2024 is being attached herewith as Annexure R-1.

4. That in compliance of order dated 20.03.2024 passed in Civil Writ Petition No. 18040 of 2015, the claim of the petitioners for regularization of their services as per the regularization policy dated 01.10.2003 was to be considered. As per the policy, in order

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to claim regularization or consider the regularization of any person, three conditions are to be looked into, which is reproduced here as under:-

"Issue No. 1- Whether the petitioners have completed three year services on Group D Post on 30th September, 2003 and were in service on 30th September, 2003.

Issue No. 2: Whether the petitioners were originally appointed against vacant sanctioned post.

Issue No. 3:- Whether the petitioners have three years of service with 240 days of work in each year."

That in the case of the present petitioners, as per the record, it clearly reveals that the petitioners did not complete 240 days continuous in service, in any of the year from 1990-91 to 2003-04. Moreover, neither they have completed three years services on Group-D post on 30.09.2003 nor in service on the said date. Therefore, the first condition has not been fulfilled by the petitioners.

Secondly, the appointment of the petitioners were not against sanctioned post, accordingly, the petitioners are not fulfilling the other conditions of the regularization policy so second condition was also not fulfilled in terms of regularization policy, 01.10.2003. Similarly, the petitioner did not complete 240 days in three year till September 2003, therefore, the third condition has also not been fulfilled.

Accordingly the claim of the petitioner has been considered and decided by a speaking order No. 10 dated 12.06.2024 in terms of

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the regularization policy 01.10.2003 and the same has been declined. A copy of the above said speaking order is being attached herewith as Annexure R-1 and details of attendance are being annexed herewith as Annexure-R-2 to R-5.

4. In view of the above, order dated 20.03.2024 passed by this Court in CWP-18040-2024 has already been complied with.
5. Accordingly, the contempt is purged. Rule is *discharged*.
6. Needless to say that petitioners can avail any other remedy as is available to them, in accordance with law, to challenge the speaking order No. 10 dated 12.06.2024 passed by Sh. Naresh Kumar Ranga, IFS, Dy. Conservator of Forests, Palwal.
7. Pending application (s) if any also stands disposed of.

(SUDEEPTI SHARMA)
JUDGE

September 02, 2025

Gaurav Arora

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No