

206 RA-CW-135-2023 (O&M) in
CWP-19049-2012

**SARWAN KUMAR AND OTHERS
VS
STATE OF PUNJAB AND OTHERS**

Present: Mr. R.K. Gautam, Advocate
for the review applicants.

Mr. Kanav Singla, AAG, Punjab.

Two connected writ petitions were disposed of on 20.02.2023 while relegating the petitioners to the alternative remedy because disputed questions of fact were involved.

This review application has been filed on the following grounds:-

- i. The prayer for petitioners regularization has not been considered.
- ii. In the impugned order dated 04.09.2012, the name of outsourced agency has not been disclosed.
- iii. Various documents produced, have not been considered.
- iv. Various judgments passed by the Courts have not been considered by the Court.

In the first part of the caption of writ petition, the petitioners have claimed writ of mandamus directing the respondents to consider the petitioners case for grant of minimum regular scale.

In the second part, they have prayed for regularization.

This aspect has been overlooked by this Court, however, it does not change the result. While considering the petitioners claim for regularization, Chief Engineer (North), passed a detailed order on

04.09.2012. In para 4 at page 66 of the paperbook, it was noted by the Chief Engineer that the petitioners were engaged by some contractor. Similarly, it was specified in para 6 that the petitioners were engaged by the contractor. In these circumstances, disputed questions of fact involved in the writ petition cannot be properly decided by a writ Court.

With regard to argument that this Court has not considered various documents, it may be noted that the petitioners have only been relegated to the alternative remedy.

Keeping in view the disputed questions of fact involved in the present case, no ground to review is made out.

Dismissed accordingly.

January 24, 2025

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**(ANIL KSHETARPAL)
JUDGE**