



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-12363-2025

Date of Decision: 19.05.2025

MADAN SINGH

..... Petitioner

*Versus*

HARYANA URBAN DEVELOPMENT AUTHORITY AND  
OTHERS

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Brijeshwar Singh Kanwar, Advocate for the petitioner.

Mr. Arvind Seth, Advocate for the respondents.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 27.01.2025 whereby respondent has rejected his claim for regularization as Work Munshi from 01.02.1996.

2. The petitioner joined respondent as Work Munshi on 11.01.1991. He was assigned designation of Beldar on 01.08.1991. He was regularized on 01.02.1996 as Beldar. He was promoted as Work Supervisor on 03.04.2012. He was assigned charge of Junior Engineer on 04.07.2014. He filed CWP-12785-1991 before this Court seeking direction to respondent to pay him salary for the post of Work Munshi. This Court vide order dated 23.05.2014 directed that petitioner shall be paid salary for the post of Work Munshi at the time when he was serving as Work Munshi. He filed representation for regularization as Work Munshi and not Beldar w.e.f. 01.02.1996. The respondent pursuant to order dated 14.10.2024 of this Court in CWP-11875-2020 has passed

impugned speaking order dated 27.01.2025 whereby his claim for regularization as Work Munshi from 01.02.1996 has been declined. The operative portion of the impugned order reads as under:

*“As per policy dated 07.03.1996 issued by Chief Secretary Govt. of Haryana for regularization of service, who completed five years' service on 31<sup>st</sup> Jan 1996 and were in service on 31.01.1996 provided he has completed minimum period of 240 days in each year and the breaks in service in any year is not more than one month at time. Such employee who has worked on different post having different designation in the same department shall also be regularized if he fulfils other conditions. On regularization he shall be put in scale of pay applicable to lower Group D Cadre in the Govt. As the petitioner served as Work Munshi only seven months and later on, he worked as Beldar. After consideration of the facts, the competent Authority regularized the service of petitioner as a Beldar w.e.f. 01.02.1996.*

*Previously also, after due consideration of above facts, the Chief Engineer, HSVP, Panchkula sought the legal advice in the matter from District Attorney HSVP (HQ), Panchkula, whether the services of Shri Madan Singh could be regularized w.e.f. 01.02.1996 as Work Munshi. The legal opinion in the matter was given by the District Attorney as under:-*

***"The fact in the file shows that the applicant served as Work Munshi only 7 months. As per regularization policy 1996, minimum 5 years services was required for regularization on the post of Work Munshi and the applicant has served only 7 months, thereafter he served as Beldar, therefore, the competent Authority rightly regularized the services of the applicant as Beldar.***

***It is advised that before taking any decision the competent this authority may verify the fact of the case further".***

*The above facts and circumstances were conveyed*

*to the petitioner that in view of above facts he was not eligible for regularization as Work Munshi/Work Supervisor w.e.f. 01.02.1996 and hence, the petitioner not regularized as Work Munshi/Work Supervisor.*

3. The petitioner was regularized as Beldar on 01.02.1996. At that point of time, his CWP-12785-1991 was pending before this Court. The said petition was disposed of on 23.05.2014. There was no direction in the said petition to regularize him as Work Munshi w.e.f. 01.02.1996. There was only direction to pay him salary as Work Munshi for the period he worked as Work Munshi. He was assigned designation of Beldar on 01.08.1991. He was regularized as Beldar on 01.02.1996. At the time of regularization, he accepted his designation as Beldar. He had worked only for seven months as Work Munshi whereas as per regularization policy, minimum five years service was required on the post of Work Munshi. The period of three decades has passed away from the date of regularization of petitioner as Beldar. There seems no reason to regularize him as Work Munshi from 01.02.1996 and thereafter upgrade his subsequent designations at this belated stage.

4. Considering the judgments of Supreme Court in ***Central Council for Research in Ayurvedic Sciences and Another Vs. Bikartan Das and Others, 2023 SCC Online SC 996*** and ***Mrinmoy Maity Vs. Chhanda Koley and Others, 2024 SCC Online SC 551***, this Court does not find it appropriate to invoke its jurisdiction.

5. Dismissed.

( JAGMOHAN BANSAL )  
JUDGE

19.05.2025  
*Prince Chawla*

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No