



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

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**CWP-12248-2025 (O&M)
Decided on :02.05.2025**

RAVINDER KUMAR AND ORS . . .Petitioner
Versus

STATE OF PUNJAB AND OTHERS . . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Dr. Gulab Singh Narwal, Advocate
for the petitioners.

Ms. Akshita Chauhan, DAG, Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the orders dated 03.04.2025 (Annexure P-13 to P-17) by which, the prayer of the petitioners, who are working as Motivators/Master Motivators on voluntary basis under the respondent-Department and were seeking regularization of their services and that too against the post of Block Resource Coordinator (BRC)-cum-Community Facilitator (CF) which were advertised by the Public Notice dated 31.12.2021, has been rejected by the respondent-Department.

2. Learned counsel for the petitioners submits that the petitioners had filed the writ petition bearing CWP No. 3228 of 2022 before this Court challenging the Public Notice dated 31.12.2021 praying that respondents be restrained from finalizing the said selection process. Ultimately, the said writ petitions were disposed of keeping in view the prayer made by the petitioners that they intend to approach the respondents-department by filing the representation raising certain grievance so as to claim that their services as Motivators/Master Motivators be regularized against the post of Block Resource Coordinator (BRC)-cum-Community Facilitator (CF) which has



been advertised by the Public Notice dated 31.12.2021.

3. Learned counsel for the petitioner argues that the said claim has been rejected by the respondents-department while passing the impugned orders dated 03.04.2025 (Annexure P-13 to P-17).

4. Learned counsel for the petitioner further argues that the said orders have been passed in violation of the principle of natural justice and hence, the same are liable to be set-aside.

5. Keeping in view the advance copy given, learned State counsel has appeared and submits that the representations which were received from the petitioners have been decided by passing the impugned orders and the grievance being raised by the petitioners is two fold that they are entitled for regularization of their services as Motivators/Master Motivators and that too against the post of Block Resource Coordinator (BRC)-cum-Community Facilitator (CF) and the said issue has been decided against them while passing the speaking order as to why the said benefit of regularization cannot be given to the petitioner by violating the principle of natural justice but the grievances have been noticed and decided, hence, it cannot be said that the rules of natural justice have been violated in any way.

6. At this stage, learned counsel for the petitioners argues that as no opportunity of personal hearing was given by the authorities concerned to the petitioner before passing the orders, hence, the rules of natural justice have been violated.

7. Learned counsel for the petitioners further submits that as the petitioners were working on the post of Motivators/Master Motivators, even if they were working on voluntary basis, they are still entitled for regularization of their services.

8. I have heard learned counsel for the parties and have gone



through the case file with their able assistance.

9. The first question which needs to be decided upon is as to whether, non grant of personal hearing in the facts and circumstances of the present case, will amount to violation of rules of natural justice or not, so as to set-aside the impugned orders.

10. It should be noticed that unless and until, any rules or any order passed does not grant the opportunity of personal hearing, it cannot be said the rules of natural justice have been violated.

11. Further, while disposing of the writ petition filed by the petitioners, the only order passed was that the petitioners will file a representation which will be decided by the department in a time bound manner. The representations filed by the petitioners have been decided by the department by giving due speaking reasons and by reaching upon the ultimate conclusion arrived at by the authorities concerned.

12. Once, the grievance raised in the representations have been decided by the department by giving due reasons, it cannot be said that there has been any violation of rules of natural justice as is being claimed by the petitioners.

13. The further argument of the learned counsel for the petitioner is that the petitioners were working on the post of Motivators/Master Motivators and therefore, they are entitled for benefit of regularization of their services keeping in view the policy which has been formulated by the Government of Punjab in the year 2023.

14. It may be noticed that the reasons which have been given by the respondents for not accepting the claim of the petitioners is that the petitioners were working on voluntary basis on the said posts and were being paid keeping in view the output which has been generated by each of the



volunteer keeping in view of his/her performance. In the order it has been mentioned that once, the engagement of the petitioners was on voluntary basis and in the engagement order by which petitioners were engaged it was clearly mentioned that there was no master and servant relationship between the petitioner and the respondent-department, which condition had been accepted by the petitioner, now claiming benefit of regularization of service on the ground that there is exists master and servant relationship between the petitioner and department, is incorrect.

15. Hence, the claim rejected by the department concerned qua the regularization of services of the petitioner is perfectly valid and legal.

16. Further the petitioners are working on the post of Motivators/Master Motivators but are claiming benefit of regularization of service against the post of Block Resource Coordinator (BRC)-cum-Community Facilitator (CF), the respondents in the impugned orders have clearly stated that the duties of Motivators/Master Motivators and Block Resource Coordinator (BRC)-cum-Community Facilitator (CF) are entirely different, hence, relief of regularization cannot be claimed by the petitioner once the petitioners are engaged on a particular post, they cannot claim regularization of service on another post which requires different qualifications and duties. Hence, the impugned orders dated 03.04.2025 (Annexure P-13 to P-17) passed by the authorities needs no interference by this Court in the facts and circumstances of the present case.

17. Accordingly, the writ petition is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

02.05.2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No