



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

112

**CWP-5546-2025 (O&M)  
Date of decision: 22.05.2025**

TARA CHAND

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

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Present: - Ms. Lipika Dahiya Mamli, Advocate  
for the petitioner.

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**VINOD S. BHARDWAJ, J. (Oral)**

**CM-7612-CWP-2025**

Application is allowed as prayed for.

**CWP-5546-2025**

The instant writ petition has been filed seeking setting aside of the order dated 15.03.2024, whereby the claim of the petitioner for regularization of his services has been declined.

2. Learned Counsel appearing on behalf of the petitioner contends that the petitioner was appointed on a daily wage basis in the year 1990 and



has been continuously discharging his functions to the complete satisfaction of the respondent authorities. She contends that the Government of Haryana had formulated a policy for regularization of the services of casual/daily wagers who had completed more than five years of continuous service and were in service as on 31.03.1993, and should have completed 240 days of work in each year. Notwithstanding the said policy, the respondents did not initiate the process for regularization of the petitioner's services. She further contends that another policy was thereafter notified by the respondents on 07.03.1996 for regularization of the services of casual/daily wage employees, who had completed more than five years of continuous service and had worked for 240 days and were in service as on 31.01.1996. The said policy was further modified on 18.03.1996 whereby period of 05 years was reduced to 03 years. The petitioner's request for regularization of his services was not considered even though the said benefit had been extended to other similarly situated employees. Subsequently, another regularization policy was notified by the Government of Haryana in the year 2014 for regularization of services of casual/daily wage employees, but the petitioner's case was again ignored.

3. She contends that the petitioner submitted various representations, but no decision was taken by the respondent-authorities. Consequently, CWP-16404 of 2020 was filed before this Court. The said writ petition was dismissed vide order dated 25.01.2024, directing the respondents to take a decision on the representation and to pass a speaking



order thereupon. It is further contended that another writ petition, CWP-33251 of 2024, was also filed but was withdrawn as the order had already been passed in the earlier writ petition on 25.01.2024. Eventually, the respondents passed an order dated 15.03.2024, thereby declining the petitioner's claim, which is the subject matter of challenge in the present writ petition.

4. It is submitted that the respondents have recorded a finding that there was nothing on record to establish that the petitioner had worked with them during the relevant period for more than 240 days and, therefore, he was not eligible for regularization. She contends that the aforesaid finding of fact is misconceived and places reliance upon the table showing the entries of service/payment in the passbook, appended as Annexure P-14, to substantiate that payments were indeed being credited to the petitioner's account.

5. I have heard learned Counsel appearing on behalf of the petitioner at length and have gone through the documents appended alongwith the present writ petition.

6. It would be apposite to make a reference to Office Order No. 216 dated 15.03.2024 (impugned herein) to examine the grounds on which the petitioner's representation seeking regularization of service has been declined. The operative part thereof reads thus:-

*“7. It may be noticed that all the documents which the petitioner(s) will attach along with the*



*representation be taken into account while passing the speaking order. A photocopy of this order be placed on the files of connected cases."*

*The petitioner, through his lawyer, submitted a representation on 05.02.2024, which was received in this office on 19.02.2024, following the orders of the Hon'ble Punjab and Haryana High Court. Earlier, this office had sought information regarding the petitioner's work from the Forest Range Officer, Chhachhrauli. According to the Range Officer's report (Letter No. 886, dated 28.09.2016), the petitioner had not worked in the Chhachhrauli Range. After reviewing the Range Officer's report, the facts mentioned in the petitioner's representation dated 19.02.2024, and the regularization policies issued by the Haryana Government in 1993, 1996, 2003, and 2014, it was found that the petitioner does not qualify under any of these policies.*

*Additionally, it is also clarified that the petitioner had earlier filed CWP No. 12970/2016 in the Hon'ble High Court, which was disposed of on 16.08.2016. Following this, this office had already issued speaking orders as per the court's directives.*

*Decision:*

*Hence, the claim for regularization made by Shri Tara Chand Ram, son of Shri Molhu, is rejected.*

7. The specific finding of fact recorded by the respondent officials is that there is no available record to establish that the petitioner had worked



in the Chhachhrauli Range during the period as claimed and for which regularization is being claimed. In response to this finding, the petitioner has placed reliance on the table reflecting entries of service and payments from the passbook, which has been appended, to demonstrate that remuneration was indeed credited to the petitioner's account for the relevant period. The same is extracted as under:-

<i>Date</i>	<i>Particulars</i>	<i>Amount Credited</i>
20.01.2024	Salary	34915.00
31.01.2024	Salary	19104.00
19.11.2016	NEFT-DV-Conservation	7976.00
21.02.2017	NEFT-DV-Conservation	7768.00
18.04.2017	NEFT-CHAMAN LAL	8070.00
06.07.2017	NEFT-DV-Conservation	5400.00
29.08.2017	NEFT-DV-Conservation	4345.00
17.04.2018	UNION/NEFT-V F C	12938.00
20.04.2018	CANARA/NEFT-PARAM	12927.00
27.04.2021	By NACB/1870403074/ NACH00000000022444/BSWC	32,413.59
10.08.2021	By NEFT BAWA SINGH AND SON (006200)	15,000.00



19.08.2021	By MUKESH (639400)	2,598.00
15.11.2021	By NACH/6704691809/ NACH00000000022444/BSWC	1,11,720.00
29.12.2021	By MUKESH KUMAR (639400)	11,630.00
06.04.2023	NEFT GANAULI VILLAGE FOREST COMMITTEE GIH	8,811.00
06.08.2024	NEFT SALINDER KUMAR	10,998.00
21.01.2023	NEFT SALINDER KUMAR- BANK OF BARODA	15,000.00
28.09.2018	UNION/NEFT-V F C	12,927.00
04.12.2018	UNION/NEFT-V F C	9,553.00
10.01.2019	NEFT-V F C GANOUL	2,259.00
15.01.2020	CORPN/NEFT –BAWA S	10,000.00
02.03.2020	SBI/NEFT-EMPLOYEE	7,548.00
03.03.2020	SBI/NEFT-EMPLOYEE	20,494.00
21.03.2020	AXIS BANK/NEFT-NOO	17,754.00
21.07.2020	PNB/NEFT-MUKESH K	7,876.00

8. The entries in the passbook reflect seemingly random transactions indicating some payments made from 2016 onwards, and that too irregularly at different intervals. These entries also do not in any manner



establish that such payments were made by the respondent Department or Chhachhrauli Range directly to the petitioner. Since the petitioner claims to have been engaged with the respondent Department since 1989 and to have continuously worked, thereby claiming eligibility for regularization under the policies of 1993, 1996, as well as 2014, it was incumbent upon him to establish that he was in service with the respondent for the requisite period and at the relevant time when these respective policies were notified by the State. The table showing salary entries fails to establish any relationship between the petitioner and the respondent Department for any period prior to November 2016. Furthermore, there has been no regularization policy applicable since that time, and the 2014 policy notified by the respondent State of Haryana has already been set aside by a Division Bench judgment of this Court in **CWP No. 17206 of 2014** titled as **Yogesh Tyagi & Another v. State of Haryana & Others**.

9. Considering it from either perspective, the instant writ petition raises disputed questions of fact that cannot be gone into by a writ Court at this juncture.

10. The instant writ petition is thus dismissed in limine. Liberty is, however, granted to the petitioner to take recourse to an appropriate alternative remedy to establish its relationship and make any such claim.

11. The observations recorded herein above are solely for the purposes of examining the instant writ petition and the findings recorded above should not be construed as an expression on merits of the case, in the



event of the petitioner preferring recourse to any other alternative remedy. In the event of pursuing alternative remedy, the same shall be decided on the basis of the evidence led before the competent authority.

**(VINOD S. BHARDWAJ)  
JUDGE**

**MAY 22, 2025**  
*Vishal Sharma*

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