
(2006) 08 P&H CK 0564
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 3585 of 2005

Harikesh and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 04-08-2006

Acts Referred:

Citation : (2006) 08 P&H CK 0564

Hon'ble Judges : M.M.S. Bedi, J.; M.M. Kumar, J.

Bench : Division Bench

Final Decision : Dismissed

Judgement

M.M. Kumar, J.—The instant petition is directed against the order dated 5.4.2004 (P-4), regularising the services of the petitioners w.e.f. 3.4.2000 instead of the due date as per the instructions dated 28.7.1994. The petitioners have claimed regularisation on completion of two years service, which they had completed in 1996. The aforementioned claim is based on the instructions dated 28.7.1994 (P-1). It is also claimed that persons junior to the petitioners have been regularised by giving them different dates to the prejudice of the petitioners. Mr. J.P. Dhull, learned Counsel for the petitioners, has also placed reliance on a Division Bench judgment of this Court in the case of Raj Kumar etc. v. Rajinder Singh etc. (C.W.P. No. 11174 of 1997, decided on 22.11.1997).

2. Having heard the learned Counsel we are of the considered view that no mandamus can now be issued in terms of the Division Bench of this Court in Raj Kumar's case (supra) because of the view taken by Hon'ble the Supreme Court in a Constitution Bench judgment in the case of Secretary, State of Karnataka and Others Vs. Umadevi and Others, . Similar matter has come up before this Court in Rajinder Kumar v. State of Haryana and Ors. (C.W.P. No. 7563 of 2005, decided on 25.4.2005) and we have considered similar arguments in detail.

3. Therefore, the writ petition fails and the same is dismissed.