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**(2012) 03 P&H CK 0069**  
**In the Punjab And Haryana At Chandigarh**  
**Case No : CWP No. 13005 of 1999**

Jagir Singh

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

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**Date of Decision :** 23-03-2012

**Acts Referred:**

**Citation :** (2012) 03 P&H CK 0069

**Hon'ble Judges :** Hemant Gupta, J;A.N. Jindal, J

**Bench :** Division Bench

**Final Decision :** Dismissed

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## Judgement

Hemant Gupta, J.—The petitioner has sought a writ of mandamus for directing the respondents to consider the petitioner for appointment against the regular post of Driver. The petitioner was working on daily-wages, but his services were terminated on 12.07.1991. The petitioner raised an industrial dispute challenging his termination. The learned Labour Court on 29.03.1994 passed its award reinstating the petitioner with full back-wages, but in a writ petition bearing CWP No.6762 of 1993, the award of the Labour Court was modified and the petitioner was found entitled to 50% back wages with the direction that the petitioner shall be reinstated. In pursuance of such order, the petitioner has been reinstated on 08.05.1998.

2. The grievance of the petitioner is that he is given dues only for the days, he is actually working, whereas a regular post of Driver is lying vacant.

3. The reinstatement in terms of the award of the Labour Court, does not entitle the petitioner to be appointed on regular post. The regular post can be filled up only in terms of the recruitment rules. No such direction can be given in the writ petition filed by the petitioner. Consequently, the present writ petition is dismissed.