
(2011) 03 SHI CK 0283
In the High Court Of Himachal Pradesh
Case No : LPA No. 3 of 2011

Krishan Lal

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 09-03-2011

Acts Referred:

Citation : (2011) 03 SHI CK 0283

Hon'ble Judges : Kurian Joseph, C.J;V.K. Ahuja, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Appellant is one of the Petitioners in the writ petition. He is aggrieved since his request for regularization at par with his juniors has been rejected. The stand of the Respondent-State is that the Petitioner has been granted regularization taking into consideration the number of years where he worked for 240 days. According to the Appellant-Petitioner, in the case of the juniors who joined along with the Petitioner, in the same year, they have been granted regularization earlier even before completing 240 days. If any illegality has been committed, the Petitioner cannot claim equity or parity on the basis of such illegality. That would amount only to precipitating the wrong. Yet another contention of the Petitioner is that as per the information available with the Petitioner, he should have been regularized earlier. This aspect, the Petitioner may point out before the second Respondent-Engineer-in-Chief, in which case the matter will be looked into on verification of the facts and appropriate action in accordance with law and justice shall be taken within another four months from the date of production of a copy of this judgment along with a copy of the writ petition by the Petitioner.

2. We also make it clear that in case in the process, the second Respondent is of the view that certain persons have been illegally regularized, it will be open to him to take appropriate action after affording an opportunity of hearing to such persons.

3. The writ petition is disposed of, so also the pending applications, if any.