



RSA-3992-2011 (O&M)

2026:PHHC:064525

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

RSA-3992-2011 (O&M)

Gurdail Singh and anr.

..Appellants

Versus

State of Haryana and ors.

..Respondents

Reserved on: 08.04.2026

Pronounced on: 24.04.2026

Uploaded on: 28.04.2026

Whether only the operative part of the judgment is pronounced? *NO*
Whether full judgment is pronounced? *YES*

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Ishan Cooner, Advocate for
Mr. J.S. Cooner, Advocates
for the appellant.

Mr. Harish Nain, A.A.G. Haryana

* * * * *

SUDEEPTI SHARMA, J.

1. The present regular second appeal is preferred against judgment and decree dated 29.04.2010 passed by learned Civil Judge (Jr. Division), Kurukshetra, as well as judgment and decree dated 07.06.2011 passed by learned District Judge, Kurukshetra, whereby, civil suit as well as appeal filed by the appellants was dismissed respectively.

BRIEF FACTS OF THE CASE

2. Brief facts of the case as per civil suit are that the appellants filed civil suit challenging order dated 12.08.2005 passed by the respondents whereby the representation filed by them for regularization of their services as per the policies of the Government, was rejected. The civil suit filed by



them, was dismissed, vide judgment and decree dated 29.04.2010 passed by learned Civil Judge (Jr. Division), Kurukshetra. Thereafter they filed appeal against the same which was also dismissed, vide judgment and decree dated 07.06.2011 passed by learned District Judge, Kurukshetra. Hence the present appeal.

ARGUMENTS OF LEARNED COUNSEL FOR THE PARTIES

3. Learned counsel for the appellants contends that both the Courts without appreciating the facts and the evidence on record (oral as well as documentary), dismissed the civil suit filed by the appellants. He, therefore, prays that the present appeal be allowed and judgment and decree dated 29.04.2010 passed by learned Civil Judge (Jr. Division), Kurukshetra and judgment and decree dated 07.06.2011 passed by learned District Judge, Kurukshetra, be set aside.

4. Per contra, learned counsel for respondents contends that both the Courts have rightly appreciated the evidence on record while dismissing the civil suit as well as appeal filed by the appellants. He, therefore, prays that the present regular second appeal be dismissed.

5. I have heard learned counsel for the parties and perused the whole record of the case with their able assistance.

ANALYSIS OF THE RECORD

6. A perusal of the record shows that appellants in civil suit were claiming regularization of their services on the ground that they fulfill all the conditions of the Government policies of 1996 and 2003. The respondents in their written statement stated that policies of 1996 and 2003 were withdrawn



by the Haryana Government in the year 2007 in view of orders passed by this Court and Hon'ble the Supreme Court.

7. Further perusal of the record shows that appellants had also filed writ petition for regularization, which was decided with the direction to the respondents to decide the representation filed by the appellants and in compliance of the same, the claim of the appellants was considered and rejected, vide order dated 12.08.2005. The appellants did not place on record any document to show that they were eligible for regularization, as per terms and conditions of the policy of Haryana Government of the year 1996 and 2003 which were later on withdrawn by the Haryana Government in the year 2007. Ex D6 and D7 shows that the appellants are not eligible in terms of the Haryana Government policy for the year 1996 and 2003, which was never rebutted by them by leading any evidence.

8. Further perusal of the record shows that the appellants did not complete 240 days in any calendar year. Sandeep Singh, Range Officer was examined as DW1 who also deposed that the appellants did not complete 240 days in any calendar year. Ex D6 and D7 are the details of the working period of the appellants from the month of February 1993 up to October, 2003. It is evident from Ex D6 that Gurdial Singh-appellant No. 1 did not work in the year 1993, 1998, 1999, 2000 and 2002. His total working days in the years 1994, 1995, 1996, 1997, 2001 and 2003 are 90, 203, 215, 48, 128 and 30 respectively. Similarly, Ex D7 shows the details of working period of appellant No. 2-Bant Ram who did not work from the month of February, 1993 to July, 2003. Though the record pertaining to the year prior to 1993 was not available with the department since it was weeded out, vide order



dated 14.01.1997 but from the year 1993 up to year 2003, appellant No. 1 did not complete 240 days in any English Calender year and appellant No. 2 did not work.

9. As per Haryana Government Policy of 1996 of regularization of service of daily wagers, only those daily wagers who completed 03 years of service as on 31.01.1996 and worked for 240 days in each year without any break of more than 30 days at a stretch were to be regularized. The relevant period of 03 years for the policy dated 07.03.1996/18.03.1996 is 01.02.1993 to 31.01.1996.

10. The Haryana Government framed another policy dated 01.10.2003 for the purpose of regularization of service of daily wagers in group 'D' as per which daily wagers who completed 03 years of service as on 30.09.2003 and were in service on 30.09.2003 and who fulfilled the requisite qualifications and were originally appointed against the vacant posts were to be regularized in service. Further, they must have worked for minimum period of 240 days in each calendar year and there must not be break of more than 30 days due to his own fault.

11. Except for oral statement, appellants could not place on record any documentary evidence to prove that they worked continuously for 240 days and fulfilled the criteria as referred to above as per the policies of regularization. Sandeep Singh DW1 categorically stated that appellants were given work on daily wage basis as and when needed on seasonal basis and they did not work for period of 240 days in any calender years.

12. In view of the above, I do not find any infirmity in judgment and decree dated 29.04.2010 passed by learned Civil Judge (Jr. Division),

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Kurukshetra, as well as judgment and decree dated 07.06.2011 passed by learned District Judge, Kurukshetra and the same are upheld.

13. Accordingly, the present regular second appeal is dismissed.
14. Decree sheet be prepared accordingly.
15. Pending application(s), if any, also stand disposed of.

24.04.2026*Gaurav Arora***(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*