

Court No. - 5

Case :- WRIT - A No. - 64291 of 2015

Petitioner :- Sandhya Milan Arya

Respondent :- Chairman-Cum-M.D. N.P.C.L And Another

Counsel for Petitioner :- Dileep Kumar Mishra, Ravi Shanker Upadhyay

Counsel for Respondent :- Naresh Chandra Nishad, S.C., Vivek Ratan Agrawal

Hon'ble Kshitij Shailendra, J.

1. The petitioner has made a claim for regularization of her services.
2. The record indicates that after death of petitioner's husband, she raised a claim for compassionate appointment and there are correspondences on record to demonstrate that the claim was being considered.
3. The first document to demonstrate that she was given some kind of engagement/ appointment is dated 01.11.1999, appended at page no. 25 of the writ petition. In the said form, the post of the petitioner has been described as "Junior Assistant". Identical forms were issued in subsequent years also demonstrating number of days the petitioner had worked and number of days she availed leave.
4. Learned counsel for the petitioner places reliance upon Annexure No. 4 to the writ petition and submits that, in the year 2008, she was appointed as a Temporary Clerk.
5. The claim for regularization is apparently based upon alleged continuity in service, however, the claim has been opposed by Shri Vivek Ratan Agarwal, learned counsel for NTPC on the ground that the petitioner was never appointed in NTPC and temporary engagement of the petitioner since 1999 till 2002 would not suffice to sustain claim for regularization.

6. As far as Annexure No. 4 is concerned, submission is that the said appointment letter was issued by **Utility Powertech Limited which is a Joint Venture of Reliance Energy and NTPC** and if the petitioner raised a claim for regularization based upon length of services in consequence to the appointment letter dated 10.06.2008, Utility Powertech Limited, being a necessary party and represented by Shri Jitendra Rana, Advocate, the petition cannot be decided in absence of such Joint Venture being a party to the writ petition.

7. Learned counsel for the petitioner is **permitted to implead** Utility Powertech Limited as last respondent in the writ petition without moving any impleadment application and during the course of day.

8. A copy of this order along with copy of the writ petition, counter and rejoinder affidavits shall be served by learned counsel for the petitioner upon Shri Jitendra Rana, Advocate, **within 10 days** from today.

9. Shri Rana shall obtain instructions from the newly impleaded respondent with regard to claim for regularization and shall also file a counter affidavit within a period of **two months**.

10. List **on 06.10.2025** before appropriate Bench.

11. When the matter is listed next, the name of Shri Jitendra Rana, Advocate shall be shown from respondent's side.

Order Date :- 1.8.2025

AKShukla/-