

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23540/2007

(From the judgement and order dated 12/08/2004 in CWP No. 1668/2004
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF PUNJAB & ORS. Petitioner(s)

VERSUS

HARDEEP SINGH & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 06/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Ajay Pal,Adv.

For Respondent(s) Mr. R.K. Kapoor, Adv.
Ms. Shweta Kapoor, Adv.
Mr. Harish Chandra Pant, Adv.
Mr. Anis Ahmed Khan,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is allowed in terms of the signed order. No
order as to costs.

(Ajay Kr. Jain)
Court Master

(Vinod Kulvi)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
Civil Appeal No. 33 of 2009
(Arising out of SLP(C) No. 23540 of 2007)

State of Punjab & Ors. ... Petitioners

Versus

Hardeep Singh & Ors. ... Respondents

ORDER

Heard learned counsel for the parties.

Leave granted.

This appeal by special leave has been filed against the judgment and order
dated 12.08.2004 of the Punjab & Haryana High Court at Chandigarh.

Learned counsel for the appellants has submitted that the issue of regularization of service has been examined by this Court in the case of State of Punjab & Ors. Vs. Lakhwinder Singh & Ors. (Civil Appeal No. 7995/2002 decided on 07.09.2006) and Secretary, State of Karnataka & Ors. Vs. Uma Devi & Ors. (2006) 4 SCC 1.

Learned counsel for the respondents has submitted that the State Government has announced a policy for regularization of employees, whereunder respondents are entitled to be regularized. Learned counsel for the appellants has not disputed this fact.

Having considered the submissions made by learned counsel for the parties, we are of the opinion that the matter requires a fresh consideration by the High Court in the light of the decisions referred to above and other decision of this Court and also the policy issued by the State Government.

Accordingly, the appeal is allowed and the judgment and order under challenge is set aside. The matter is remanded back to the High Court for a fresh decision of the writ petition. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the respondent-employees.

Appeal allowed. No order as to costs.

.....J.
(LOKESHWAR SINGH PANTA)

.....J
(B. SUDERSHAN REDDY)

New Delhi,
January 06, 2009