

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20340/2005

(From the judgement and order dated 25/04/2005 in CMWP No. 6204/2005 of The  
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF PUNJAB & ORS.

Petitioner(s)

VERSUS

KANSHI RAM

Respondent(s)

(With prayer for interim relief and office report )

Date: 12/02/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. Sanjay Jain,Adv.

For Respondent(s)

Mrs.Rekha Palli,Adv.

Mr. A.V.Palli, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

(Meenu Sethi)

Court Master

(Pushap Lata Bhardwaj)

Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil APPEAL NO. 720 OF 2007

(Arising out of SLP(C) No.20340/2005)

State of Punjab & Ors.

.. Appellants

Versus

Kanshi Ram

..Respondent

ORDER

Leave granted.

Having heard learned counsel for the

parties, we are of the opinion that the respondent admittedly

is not entitled to be regularised in services, he having been

appointed only in the post of Belldar as a daily wager. The

question which arose for consideration before the Labour

Court, having regard to the reference made by the State

Government, was as to whether the termination of the

respondent was valid or not. The High Court was obligated to

consider the merit of the matter and should not have

dismissed the writ petition filed by the appellants herein only

on the ground assigned in the impugned order. The

impugned order, therefore, cannot be sustained and is set  
aside accordingly. The appeal is allowed. The High Court is  
requested to consider the matter afresh on merits.

.....J.

[ S.B. SINHA ]

.....

...J.

[ MARKANDEY ]

KATJU]

New Delhi,

February 12, 2007