

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL No. _____ OF 2024

[@ SPECIAL LEAVE PETITION (C) NOS. 9965-9974 OF 2016]

STATE OF HARYANA & ORS.

Appellant (s)

VERSUS

KHAJJAN SINGH & ORS.

Respondent(s)

WITH

**CIVIL APPEAL No. _____ OF 2024
SLP (C) No. 26884 OF 2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 1115/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 25802/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 28676/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 28677/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 28672/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 28675/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 28674/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 5222/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 28673/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 30485/2019**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 29930/2019**

**CIVIL APPEAL No. _____ OF 2024
[@ Special Leave Petition (C) No. _____ OF 2024]
[Diary No(s). 43473/2019]**

**CIVIL APPEAL No. _____ OF 2024
[@ Special Leave Petition (C) No. _____ OF 2024]
Diary No(s). 3499/2020**

**CIVIL APPEAL No. _____ OF 2024
[SLP(C) No. 24694/2019]**

**CIVIL APPEAL No. _____ OF 2024
[SLP(C) No. 6541/2020]**

**CIVIL APPEAL No. _____ OF 2024
[SLP(C) No. 6540/2020]**

**CIVIL APPEAL No. _____ OF 2024
[SLP(C) No. 7925/2020]**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 16236/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 16396/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 16379/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 16404/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 16502/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 16277/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 32677/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 26948/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 27100/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 7574/2018**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 7151/2018**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 24101/2017**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 4531/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 9978/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 7110/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 6717/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 8009/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 9980/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 9979/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 9977/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 9976/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11386/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11364/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11358/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11366/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11362/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11801/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11365/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11385/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 11363/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14153/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14155/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14152/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14200/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14193/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14190/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14201/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14189/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14196/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14154/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 14192/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 12449/2023**

**CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 24358/2023**

CIVIL APPEAL No. _____ OF 2024
SLP(C) No. 25838/2023

WITH

CIVIL APPEAL NOS. 616-617 OF 2016

O R D E R

Delay condoned and application(s) for substitution are allowed.

Leave granted.

The present set of appeals involve a common set of facts and question of law, hence they are taken up for analogous hearing. In this batch of civil appeals, Civil Appeals [@ Special Leave Petitions (Civil) Nos. 9965-9974 of 2016] are arising out of two common Judgments passed in different sets of LPAs, being LPA Nos. 948-956 of 2015, dated 21.7.2015 of the Punjab and Haryana High Court. Civil Appeals Nos. 616-617 of 2016 are arising out of impugned order(s) dated 21.1.2015 & 24.7.2015 of the High Court.

The writ petitions were filed by Respondents seeking regularization of their services from the dates from which their juniors were regularized by the State

as per regularization policy dated 01.10.2003. It was averred that even after fulfilling the criteria as specified the juniors to them were extended the benefit of regularisation. Learned Single Judge vide order 28.05.2014 dated allowed the writ petitions and granted the relief, as prayed. The relevant portion of the order is reproduced herein as thus:

“72.By applying these standards of primary review of administrative action in the present cases where the fortunate ones secured their freedom of regularization without court intervention but which has resulted in hostile and invidious discrimination are declared bad in the eyes of law. The rule of law is clearly against man’s inhumanity to man. This kind of deprivation is in contravention of the natural law of equality among citizens who are or have become equally placed in all respects of basic rights possessed by both of them as human beings even if there were no written constitution or statutory law protecting workers against unfair discrimination and unfair labour practice

inter se of those who deserve equality of treatment with their counterparts obtained through the tardy process of Labour Court trial resulting in favourable awards by the deeming fiction of law, even then the Court must step in to vanquish subjugation of the spirit. No person aggrieved should be turned away thinking the Court failed in coming to aid by restoring the unfair imbalance created by the administrator.

73. On the conspectus of the above facts, law and the thread of judgments read together, and for the various reasons stated interconnecting the judicial decisions, the rights of the petitioners for ante-dated regularization of services are declared in their favour and against the State.

74. The writ petitions are allowed. The orders of the respondent State declining representations of the petitioners for regularization in this batch of cases are nullified and set aside. In cases where regularization has been granted with effect from 2003 they shall be ante-dated

in terms of this judgment from the dates such petitioners were separated from their erstwhile juniors and fellow workers. Accordingly, the State of Haryana would pass fresh orders in terms of this judgment in each case after the period of limitation prescribed for calling in question this order has expired.”

On filing of the appeal by State, learned Division Bench of the High Court vide impugned judgments passed on different dates, dismissed the LPA(s) filed by appellant(s) maintaining the order of learned Single Judge. The relevant portion of the order of learned Division Bench is reproduced as under :

“[4] Learned Single Judge has followed the view earlier taken by this Court that where services of juniors are regularized without considering the claim of senior employee, such action of the authorities would be violative of Articles 14 & 16 of the Constitution. Consequently, directions have been issued vide

the order under appeal for regularization of services of private-respondents.

[5] The order of learned Single Judge was admittedly assailed by the State of Haryana firstly in LPA No.1903 of 2014 (State of Haryana and others versus Jiyaji Sharma which was dismissed by a Coordinate Bench vide order dated 21.01.2015. On that very day, another LPA No.1909 of 2014 (State of Haryana and another versus Sukhbir Singh was also dismissed.

[6] For the reasons assigned by this Court in Jiyaji Sharma's case (supra) coupled with the findings returned by learned Single Judge, as briefly noticed in para [2] above, we do not find any merit in these appeals which are accordingly dismissed."

Challenging the impugned Judgments, present appeals were filed before this Court, but since the issue

involved is similar in all matters, therefore they are tagged and taken together for hearing.

During the hearing, it has been brought to our notice that Special Leave Petition (C) Nos. 36871 of 2012; 17531 of 2014; and 25598 of 2014 filed in similar cases have been heard and dismissed by this Court vide orders dated 02.05.2014; 07.07.2014; and 12.09.2014 respectively. Further, it was also brought to our notice that while the present matters were pending, some of the respondents have been regularized and orders in this regard have been placed on the record.

After hearing learned counsel for the parties, and on perusing the orders of dismissal of the petitions passed by the coordinate benches in similar matters and also considering that some of the respondents have already been regularized by the appellants, we are not inclined to interfere with the orders impugned. The appeals are, accordingly, dismissed. However, the question of law is left open.

We further direct that the order passed by High Court shall now be complied within a period of two months from the date of communication of this order.

Pending interlocutory application, if any, is/are disposed of.

.....**J.**
[J. K. MAHESHWARI]

.....**J.**
[SUDHANSHU DHULIA]

New Delhi;
January 09, 2024.

ITEM NO.13

COURT NO.9

SECTION IV-B

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 (C) No(s). 9965-9974/2016

(Arising out of impugned final judgment and order dated 21-07-2015 in LPA No. 948/2015 21-07-2015 in LPA No. 949/2015 21-07-2015 in LPA No. 950/2015 21-07-2015 in LPA No. 951/2015 21-07-2015 in LPA No. 952/2015 21-07-2015 in LPA No. 953/2015 21-07-2015 in LPA No. 954/2015 21-07-2015 in LPA No. 955/2015 21-07-2015 in LPA No. 956/2015 21-07-2015 in LPA No. 931/2015 passed by the High Court Of Punjab & Haryana At Chandigarh)

STATE OF HARYANA & ORS.

Petitioner(s)

VERSUS

KHAJJAN SINGH & ORS.

Respondent(s)

IA No. 121415/2021 - APPLICATION FOR SUBSTITUTION

IA No. 121417/2021 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.

WITH

SLP(C) No. 26884/2019 (IV-B)

C.A. No. 616-617/2016 (IV)

IA No. 7958/2019 - EXEMPTION FROM FILING O.T.

IA No. 7953/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 1115/2017 (IV-B)

SLP(C) No. 25802/2019 (IV-B)

IA No. 159298/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 28676/2019 (IV-B)

SLP(C) No. 28677/2019 (IV-B)

SLP(C) No. 28672/2019 (IV-B)

SLP(C) No. 28675/2019 (IV-B)

SLP(C) No. 28674/2019 (IV-B)

SLP(C) No. 28673/2019 (IV-B)

SLP(C) No. 30485/2019 (IV-B)

SLP(C) No. 29930/2019 (IV-B)

IA No. 193572/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 3106/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 194865/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 3109/2020 - STAY APPLICATION)

Diary No(s). 43473/2019 (IV-B)

(IA No. Application for Stay.

IA No. 190110/2019 - CONDONATION OF DELAY IN FILING

IA No. 111469/2020 - STAY APPLICATION)

Diary No(s). 3499/2020 (IV-B)

SLP(C) No. 24694/2019 (IV-B)

IA No. 146195/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 6541/2020 (IV-B)

SLP(C) No. 6540/2020 (IV-B)

SLP(C) No. 7925/2020 (IV-B)

IA No. 38957/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 16236/2017 (IV-B)

SLP(C) No. 16396/2017 (IV-B)

SLP(C) No. 16379/2017 (IV-B)

SLP(C) No. 16404/2017 (IV-B)

IA No. 47308/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 16502/2017 (IV-B)

SLP(C) No. 16277/2017 (IV-B)

SLP(C) No. 32677/2017 (IV-B)

SLP(C) No. 26948/2017 (IV-B)

SLP(C) No. 27100/2017 (IV-B)

SLP(C) No. 7574/2018 (IV-B)

SLP(C) No. 7151/2018 (IV-B)

SLP(C) No. 24101/2017 (IV-B)

IA No. 175568/2019 - STAY APPLICATION)

SLP(C) No. 4531/2023 (IV-B)

(FOR ADMISSION and I.R. and IA No.45854/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 5222/2023 (IV-B)

(FOR ADMISSION and I.R. and IA No.54241/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 9978/2023 (IV-B)

(FOR ADMISSION and I.R. and IA No.69687/2023-CONDONATION OF DELAY IN FILING and IA No.69693/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 7110/2023 (IV-B)

(FOR ADMISSION)

**SLP(C) No. 6717/2023 (IV-B)
(FOR ADMISSION)**

**SLP(C) No. 8009/2023 (IV-B)
(FOR ADMISSION and I.R.)**

**SLP(C) No. 9980/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.70396/2023-CONDONATION OF DELAY
IN FILING and IA No.70397/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)**

**SLP(C) No. 9979/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.81684/2023-CONDONATION OF DELAY
IN REFILING / CURING THE DEFECTS)**

**SLP(C) No. 9977/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.76555/2023-CONDONATION OF DELAY
IN FILING and IA No.76557/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)**

**SLP(C) No. 9976/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.56428/2023-CONDONATION OF DELAY
IN FILING and IA No.56429/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)**

**SLP(C) No. 11386/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.87356/2023-CONDONATION OF DELAY
IN REFILING / CURING THE DEFECTS)**

**SLP(C) No. 11364/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.89245/2023-CONDONATION OF DELAY
IN FILING and IA No.89248/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.89247/2023-CONDONATION OF DELAY IN
REFILING / CURING THE DEFECTS)**

**SLP(C) No. 11358/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.87338/2023-CONDONATION OF DELAY
IN FILING and IA No.87340/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.87339/2023-CONDONATION OF DELAY IN
REFILING / CURING THE DEFECTS)**

**SLP(C) No. 11366/2023 (IV-B)
(IA No.91175/2023-CONDONATION OF DELAY IN FILING)**

**SLP(C) No. 11362/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.94684/2023-CONDONATION OF DELAY
IN FILING)**

**SLP(C) No. 11801/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.89883/2023-CONDONATION OF DELAY
IN FILING)**

SLP(C) No. 11365/2023 (IV-B)

(FOR ADMISSION and I.R. and IA No.94123/2023-CONDONATION OF DELAY IN FILING)

SLP(C) No. 11385/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.88762/2023-CONDONATION OF DELAY IN FILING)

SLP(C) No. 11363/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.88753/2023-CONDONATION OF DELAY IN FILING)

SLP(C) No. 14153/2023 (IV-B)
(FOR FOR CONDONATION OF DELAY IN FILING ON IA 103741/2023
IA No. 103741/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14155/2023 (IV-B)
(FOR FOR CONDONATION OF DELAY IN FILING ON IA 111413/2023 FOR
CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA
111414/2023
IA No. 111413/2023 - CONDONATION OF DELAY IN FILING
IA No. 111414/2023 - CONDONATION OF DELAY IN REFILING / CURING THE
DEFECTS)

SLP(C) No. 14152/2023 (IV-B)
(FOR ADMISSION and I.R. and IA No.102341/2023-CONDONATION OF DELAY
IN FILING
IA No. 102341/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14200/2023 (IV-B)
(FOR FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
105205/2023 FOR CONDONATION OF DELAY IN FILING ON IA 105207/2023
IA No. 105207/2023 - CONDONATION OF DELAY IN FILING
IA No. 105205/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 14193/2023 (IV-B)
(IA FOR CONDONATION OF DELAY IN FILING ON IA 115759/2023
IA No. 115759/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14190/2023 (IV-B)
(FOR FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
113792/2023 FOR CONDONATION OF DELAY IN FILING ON IA 113793/2023
IA No. 113793/2023 - CONDONATION OF DELAY IN FILING
IA No. 113792/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 14201/2023 (IV-B)
(FOR FOR CONDONATION OF DELAY IN FILING ON IA 113335/2023
IA No. 113335/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14189/2023 (IV-B)
(IA FOR CONDONATION OF DELAY IN FILING ON IA 108024/2023

IA No. 108024/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14196/2023 (IV-B)

(FOR FOR CONDONATION OF DELAY IN FILING ON IA 110478/2023

IA No. 110478/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14154/2023 (IV-B)

(FOR FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 116535/2023 FOR CONDONATION OF DELAY IN FILING ON IA 116536/2023

IA No. 116536/2023 - CONDONATION OF DELAY IN FILING

IA No. 116535/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 14192/2023 (IV-B)

(IA FOR CONDONATION OF DELAY IN FILING ON IA 114214/2023

IA No. 114214/2023 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 12449/2023 (IV-B)

(FOR ADMISSION and I.R.)

SLP(C) No. 24358/2023 (IV-B)

(FOR ADMISSION and I.R. and IA No.210345/2023-CONDONATION OF DELAY IN FILING and IA No.210343/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 25838/2023 (IV-B)

(FOR ADMISSION and I.R. and IA No.230588/2023-CONDONATION OF DELAY IN FILING)

Date : 09-01-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

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Mr. Sidhharrth Singh, Adv.
Mr. Siddharth Singh, Adv.

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Mr. Aman Kumar Thakur, Adv.
Mr. Arjun Rana, Adv.
Ms. Sumbul Ausaf, Adv.
Mr. Abhishek Bhardwaj, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

Leave granted.

The Civil Appeals are dismissed in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER

(Signed order is placed on the file)