

Cwp No.15732 of 1996 Vs. Pepsu Road Transport Corporation and Another

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Court : Punjab and Haryana

Decided On : Feb-19-2013

Appellant : Cwp No.15732 of 1996

Respondent : Pepsu Road Transport Corporation and Another

Judgement :

CWP No.15732 o

1. IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH CWP No.15732 of 1996 Date of decision:19.02.2013 Ram PalPetitioner Versus Pepsu Road Transport Corporation & anotherRespondents CORAM : HON'BLE MR.JUSTICE G.S.SANDHAWALIA Present: Mr.Vivek Sharma, Advocate, for the petitioner, None for the respondents.

***** G.S.Sandhawalia J.

(Oral) 1.

Prayer in the present writ petition is for directing the respondents to consider the case of the petitioner for regularization in view of the judgment in State of Haryana & others versus Piara Singh & others SLR 199.(4) SC 778.

2. It has been pleaded in the petition that the petitioner has completed trade diploma in the trade of Carpenter from the Industrial Training Institute, Nabha and was eligible for appointment to the post of Carpenter.

He had been appointed as Carpenter at Barnala Depot of Pepsu Road Transport Corporation, though on daily wages since 22.08.1995.

Initially, the petitioner had been appointed on 89 days basis with notional breaks.

The pay scale of the Carpenter was `1250-2100 w.e.f.03.11.1989 though the petitioner was paid @ `58/- per day.

3. Respondents, in their reply, stated that the petitioner was appointed as a labourer on daily wages.

The Corporation had also prepared a seniority list of the daily wagers working in the Corporation and that the petitioner would be considered for adjustment against regular Class IV posts as done by the management.

It was denied that the petitioner was appointed CWP No.15732 o

2. as Carpenter.

The appointment letter dated 22.08.1985 of the petitioner has been annexed as Annexure R-1.

Many daily wagers had already been adjusted by the Corporation against regular Class IV posts and the name of the petitioner figured at serial No.74 in the said list.

4. Counsel for the petitioner states that the petitioner has not been appointed as Conductor in the same Department and therefore, he would seek his remedy for his earlier service through appropriate proceedings, since a fresh cause of action has accrued to him.

5. Accordingly, in view of the above changed facts, the present writ petition has been rendered infructuous and is disposed of as such.

19.02.2013 (G.S.Sandhawalia) sailesh JUDGE

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