

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

**C.W.P.NO.18938 OF 2002
DATE OF DECISION: 9.5.2006**

MADAN LAL ...PETITIONER
VERSUS
STATE OF HARYANA AND ANOTHER ...RESPONDENTS

**CORAM:- HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE M.M.S.BEDI**

PRESENT:-Mr.R.N.Sharma, Advocate for the petitioner.

Mr.Harish Rathee, Senior Deputy Advocate General, Haryana.

M.M.KUMAR, J.(ORAL)

Learned counsel for the petitioner states that there were two prayers made by the petitioner, namely, (a) for regularization of his service and (b) for payment of minimum of pay scale of the post of washing boy in the Haryana Roadways. Learned counsel further states that services of the petitioner have been regularized with effect from 1.10.2004. However, with regard to second prayer, learned counsel is unable to say anything.

We find that the judgment of the Hon'ble Supreme Court in the case of State of Haryana and anr. v. Tilak Raj and others, Civil Appeal No.4570 of 2003 decided on 14.7.2003 is squarely covered the matter against the petitioner. In the concluding para, it has been observed that daily wagers have no equality in the matter of pay scale with the regular employees because such daily wagers do not hold any definite posts in service. In fact, the hearing of the petition was adjourned sine die to await

the decision of the aforementioned case on 27.3.2003.

In view of above, the writ petition is disposed of without reopening the order of regularization and declining the relief of minimum of pay scale to the petitioner on the post of washing boy in the Haryana Roadways.

(M.M.KUMAR)
JUDGE

(M.M.S.BEDI)
JUDGE

9.5.2006

AS