

(1) CWP-5913-2023 274 (07 Cases)

KAMLA DEVI
V/S
STATE OF HARYANA AND OTHERS

(2) CWP-6723-2023

BIMLA DEVI
V/S
STATE OF HARYANA AND OTHERS

(3) CWP-8992-2023

NIRMALA DEVI
V/S
STATE OF HARYANA AND OTHERS

(4) CWP-14583-2023

SATYAWANTI @ SATYAWATI
V/S
STATE OF HARYANA AND OTHERS

(5) CWP-8225-2023

MAYA DEVI
V/S
STATE OF HARYANA AND OTHERS

(6) CWP-11782-2023

LAXMI DEVI
V/S
STATE OF HARYANA AND OTHERS

(7) CWP-11973-2023

SANTOSH KUMARI
V/S
STATE OF HARYANA AND OTHERS

Present: Mr. Vivek Aggarwal, Advocate
for the petitioner(s).

Mr. Tapan Kumar Yadav, Deputy Advocate General,
Haryana.

Learned counsel for the respondents submits that though, claim of a Panchayat Samiti Employee, namely, Hanuman (Mali) has been considered and allowed in his favour vide judgment passed in CWP No. 7778 of 2013 titled as Hanuman Vs. State of Haryana and others, decided on 16.01.2020 but, a judgment in relation to a Craft Teacher working in a Panchayat Samiti seeking the same relief passed by the Co-ordinate Bench says otherwise, hence, the claim of the petitioners, which also relates to the post of a Craft Teacher, needs to be decided as per the judgment in RSA No. 2054 of 2001 titled as ***Vidyawati Vs. State of Haryana and others***, decided on 01.02.2007. From a bare perusal of the judgment passed in RSA No. 2054 of 2001, it is clear that the same is based upon the fact that under the rules governing the service, there is no regular post of Craft Teacher, whereas in the present case respondents themselves have regularized the services of the petitioners in the year 1988. The services of an employee can only be regularized in case, there exists a regular post, hence, once there was a regular post of Craft Teacher against which the services of the petitioners have been regularized, how can it be said that there is no regular post of a Craft Teacher prior to amendment of the Rules in the year 1996 so as to apply the judgment in ***Vidyawati's case (supra)***.

Let appropriate affidavit of the respondents be filed for consideration of this Court as to whether any regular post of Craft Teacher exists in the Panchayat Samiti or not, if not, then against which post the services of the petitioners were regularized.

Adjourned to 29.09.2023.

A photocopy of this order be placed on the files of connected cases.

September 12, 2023
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE