

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

CWP-37376-2025

BIR SINGH ALIAS BHIRA

.....PETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENT(S)

Present: Mr. Deepak Sonak, Advocate
for the petitioner(s)

In the present matter, counsel contend that the petitioner has devoted the better part of his life to the service of the respondent establishment, having been engaged continuously as a part-time Sweeper since the year 1986. For nearly four decades, he has discharged duties that are not sporadic or casual in nature, but perennial, indispensable, and intrinsic to the very functioning of the establishment. His service record remains unblemished; at no point has his integrity, diligence, or conduct been called into question. The petitioner has, quite literally, spent his productive years in the service of the State, crossing the prime of his life while serving the respondents with unwavering sincerity.

The continued denial of regularization after extracting his labour for almost forty years strikes at the very heart of fairness, equity, and social justice. Such conduct on the part of the State amounts to nothing short of institutional exploitation, wholly incompatible with the constitutional mandate enshrined under Articles 14, 16, and 19 of the Constitution of India. The State, which is expected to act as a model employer, cannot be permitted to benefit from the labour of a

workman for decades and thereafter disclaim responsibility under the guise of technical classifications.

This Court cannot remain untroubled by a situation where a workman, nominally designated as a Class-IV employee, has in reality been performing functions that are vital to the day-to-day operations of the establishment and, in a broader sense, essential to the orderly functioning of society itself. To disregard the contribution of the petitioner is to overlook the foundational labour that sustains public institutions.

More fundamentally, the action of the respondents reflect a disturbing departure from the spirit and philosophy of the Constitution. The Constitution of India does not merely guarantee formal equality; it envisions a humane, socialist State committed to securing dignity, livelihood, and justice for the weakest sections of society. The Preamble's solemn promise of a "socialist" republic is rendered hollow if those who have toiled silently at the lowest rungs of the administrative structure are denied security and recognition even after a lifetime of service. Such treatment not only violates constitutional principles but also undermines the very ideals cherished by the framers of the Constitution, who envisaged a State that would protect labour rather than profit from its vulnerability.

The conduct of the respondents, therefore, is not merely legally untenable but morally indefensible. It reflects a disregard for the constitutional vision of social justice and amounts to a disservice to the legacy of the framers of the Constitution, whose intent was to build a State grounded in compassion, dignity of labour, and substantive equality. The conscience of this Court is thus deeply shaken by the manner in which the petitioner has been treated, despite his lifelong dedication to public service.

Notice of motion.

Mr. Deepak Balyan, Addl. AG. Haryana, having been served with an advance copy of the petition, has put in appearance on behalf of the respondent-State. He assures the Court that the case of the petitioner will be considered afresh positively taking into account observations made by this Court and the settled proposition and judicial pronouncements.

The State/respondents may file its reply at least one week prior to the next date of hearing with an advance copy supplied to the counsel opposite.

Adjourned to 31.01.2026.

13.01.2026
Meenu

(SANDEEP MOUDGIL)
JUDGE