

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

***CWP No.21734 of 2013 (O&M)
Date of decision:25.07.2016***

Surinder Kumar

... Petitioner

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sumeet Jain, Advocate for
Mr. Pankaj Jain, Advocate for the petitioner.

Mr. Hitesh Pandit, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J.

The petitioner had instituted the instant writ petition in the year 2013 seeking issuance of writ of mandamus directing the respondent/authorities to grant to him the benefit of regularization of service.

Pleadings on record would show that the petitioner had been engaged as Chowkidar-cum-Safai Karmchari on daily wage basis.

During the pendency of the instant writ petition, an order dated 28.11.2013 has been passed by the Deputy Chief Executive Officer, Zila Parishad, Gurgaon in terms of which the services of the petitioner have since been dispensed with.

Under such circumstances, the claim of the petitioner seeking benefit of regularization in isolation cannot be considered.

Faced with such a situation, counsel prays for withdrawal of the present petition with liberty to file the petition afresh by raising a challenge to the order dated 28.11.2013 passed by the Deputy Chief Executive

Officer, Zila Parishad, Gurgaon on all such grounds that may be available to the petitioner strictly in accordance with law.

Prayer is allowed. Petition is dismissed as withdrawn with liberty as prayed for.

25.07.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**