

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA No. 2455 of 2017 (O & M)

Date of decision: 29.12.2017

Poonam Gupta and another

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Ms. Vertika H. Singh, Advocate,
for the appellants.

G.S.SANDHAWALIA, J. (Oral)

The present order shall dispose of two Letters Patent Appeals i.e. LPA Nos. 2455 and 2456 of 2017, as common questions of facts and law are involved in both the appeals. Reference is being made to ***LPA No. 2455 of 2017, Poonam Gupta and another vs. State of Punjab and others.***

The present LPA is directed against the order dated 22.12.2017 whereby, the Single Judge declined the interim relief on the ground that the term of contract was expiring on 31.12.2017 and the writ petitioners, appellants herein, were aggrieved of the impugned orders whereby extension beyond 31.12.2017 had not been granted.

It was specifically noticed that it was not a case where they were being replaced by another contractual set of employees so that it could be covered by the judgment of the Apex Court in ***Hargurpratap Singh vs. State of Punjab and others, 2007 (13) SCC 292***, which is the contention of the counsel even now. The fact remains that notice of motion was issued only on 20.12.2017 and thereafter, the application for interim relief was

filed. The prayer in the main writ petition is for quashing the letter dated 17.11.2017 whereby, decision was taken not to extend the contract beyond 31.12.2017 in view of the letter dated 06.11.2017 received from the Chief Administrator, PUDA. The challenge is also to the order dated 27.05.2016 whereby, the respondents have declined to regularize the services of the petitioners who were stated to be working on contract basis for more than 8 years and also for grant of minimum of the pay scales. Reply is yet to be filed in the main case and, therefore, it is not the end of litigation. In case any benefit is to be granted, the appellants will be entitled for consequential relief.

In such circumstances, no case is made out to interfere in the interim order passed by the Single Judge which does not suffer from any illegality or irregularity.

Accordingly, the present appeals are dismissed.

(G.S. SANDHAWALIA)
JUDGE

29.12.2017
shivani

(SUDHIR MITTAL)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No