

S.No.114

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

CWP No.22274 of 2020 (O&M)

Date of Decision:22.12.2020

Harish and others

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. S.S. Sahu, Advocate for the petitioners.

Rajbir Sehrawat, J.(Oral)

This is a petition filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of certiorari for quashing the action of the respondents by which the respondent No.2 has decided to terminate the services of the petitioners and further prayed a writ in the nature of mandamus be issued to allow the petitioners to continue in service till selection for the post of Art and Craft teacher is finalised in pursuance of the decision of the Hon'ble Single Judge passed in CWP No.18482 of 2010 decided on 20.05.2015, whereby, the Honb'le Single Bench, while deciding bunch of the writ petitions, set aside the selection of the petitioners and the same is upheld by the Hon'ble Supreme Court vide order dated 14.12.2020.

At the outset, learned counsel for the petitioners submits that, at this stage, the petitioners would be satisfied if the respondents are directed to consider their claim for continuation in service for a period of five months, within which the selection has been ordered to be finalised.

Notice of motion.

Ms. Deipa Singh, Addl. AG, Haryana, accepts notice on behalf of the State.

It is submitted by learned State Counsel that even the State is not averse to consideration of the claim of the petitioners, but in accordance with law.

Accordingly, the present petition is disposed of with a direction to the respondents to treat the present petition as a representation on behalf of the petitioners and to take a decision whether to continue the petitioners and other similarly situated persons in service for a period of five months from the date of receipt of the certified copy of the order of the Hon'ble Supreme Court dated 14.12.2020, passed in special leave to Appeal (C) No.14481 of 2020. The respondents are directed to consider this matter within a period of four weeks from today.

However, it is clarified that this order shall not be taken to imply, by any means, a direction to continue the petitioners and similarly situated persons in service; or to continue in service beyond the period of five months as mentioned above.

Disposed of with the above-said terms.

December 22, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No