

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

112

**CWP No.22090 of 2021
Date of Decision: 01.11.2021**

Union Territory, Chandigarh and another

..... Petitioners

Versus

Jitendera Kumar Ranjan and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MRS. JUSTICE VIKAS SURI**

Present: Mr. Sumeet Jain, Advocate
for the petitioners.

(The proceedings are being conducted through video
conferencing, as per instructions).

G.S. SANDHAWALIA J. (ORAL)

Challenge in the present writ petition, filed under Articles 226/227 of the Constitution of India is for the issuance of a writ, order or direction in the nature of certiorari are for quashing the impugned order 29.06.2021 (Annexure P-1) passed by respondent No.6-the Central Administrative Tribunal, Chandigarh Bench. The said order reads as under:-

“On 21.06.2021, while issuing notices to respondents, a weeks' time was granted to file reply to Original Application.

Today, Sh. Naman Jain, Advocate, has put in appearance on behalf of the respondents and he has prayed for a weeks' more time to file reply to Original Application.

Adjourned to 12.07.2021 at the request of Sh. Naman Jain enabling him to file reply to Original Application.

Let the reply to original application now be filed by the respondents a day prior to the date fixed with an advance copy to learned counsel for the applicants.

Status-quo with regard to services of the applicant, as it exists today, shall be maintained till the next date of hearing.”

Learned counsel for the petitioners has stated that the said order continues in force as such and the matter has not been taken up and the case is being adjourned leading to difficulty to the petitioners' department as such, since, regular appointments have been made. He further stated that private respondents such are contractual employees and, therefore, have no legal right to continue in service.

This Court is not inclined to interfere with the interim order, however, it has been pointed out that an application for vacation of stay of the said order has already been preferred on 31.08.2021 (Annexure (P-4) along with another application for early hearing.

A perusal of the said applications goes on to show that it has been mentioned that list of selected candidates has been prepared by the present petitioners-department herein and that the regular candidates have already been joined w.e.f. 01.09.2021 subject to document verification.

Keeping in view the relief which is liable granted to the petitioners by the order which has been passed, this court does not feel it the fit to call upon the private respondents to file its response which will only further delay the proceedings.

Keeping in view the facts, it would be appropriate for the Tribunal to consider whether the interim order is liable to be continued or not. It is pointed out that the matter has been adjourned to 15.11.2021 and

the Tribunal is then requested to take up the applications for vacation of stay and for early hearing, keeping in view the stand taken and decide the same within a period of four weeks thereof.

The writ petition stands disposed of with the above terms.

(G.S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

November 01, 2021

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No