

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

CWP-21996-2021

Date of decision: October 29, 2021

Rampal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Pawan Attri, Advocate for the petitioner.

Ms. Safia Gupta, AAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus directing the respondents not to remove the petitioner from service as 'Pump Operator'.

Learned counsel for the petitioner submits that the petitioner was appointed as 'Pump Operator' on 04.11.2018 with respondent No.3 through service provider. He submits that petitioner is being threatened by respondent No.5 that he is very soon going to be replaced with another contractual employee. He relies on the Apex Court's judgment in the case of ***"Hargurpartap Singh versus State of Punjab and others"*** reported as **2007 (13) SCC 292** wherein it is held that the employees working on *ad hoc* basis may not claim regularization but their services should not be terminated till regular appointments are made.

Learned State counsel, on service of advance notice, opposes the issuance of notice of motion and submits that writ petition has been filed only

on the basis of assumption, which is misplaced. No termination order has been passed and the petition herein is premature.

I have heard learned counsel for the parties and gone through the case file.

It is only an apprehension of the petitioner, at this stage, that he is going to be replaced by another contractual employee. The said apprehension seems to be completely unfounded. Writ petition seems to have been prematurely filed without having waited for the final decision by the competent authority. Hence, no ground to grant any indulgence is made out.

Dismissed.

(ARUN MONGA)
JUDGE

October 29, 2021

vandana

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No