

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CM-16036-CWP-2022 ;
CM-16081-CWP-2022 in
CWP-2987-2018
Date of Decision : 14.11.2022

Ankita and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manoj Makkar, Advocate for the petitioners.

Harsimran Singh Sethi J. (Oral)

On the oral request of learned counsel for the petitioners, the present petition is taken up for hearing.

CM-16036-CWP-2022

Application is allowed, as prayed for.

CWP-2987-2018

In the present writ petition, the grievance of the petitioners is that they are working on contractual basis and are entitled for regularization of their services as per the Policy of the Government of Haryana for regularizing the contractual employees dated 18.06.2014, a copy of which has been appended as Annexure P-7.

Learned counsel for the petitioners submits that though the said

policy has already been set-aside by the Division of this Court in CWP No. 17206 of 2014 titled as ***Yogesh Tyagi and others Vs. State of Haryana and others***, but the matter is pending consideration before the Hon'ble Supreme Court and, therefore, petitioners be granted the benefit as admissible to the petitioners under the said policy keeping in view the interim order granted by the Hon'ble Supreme Court of India .

Learned State counsel submits that the judgment of the Division Bench of this Court in ***Yogesh Tyagi and others's case (supra)***, has not been stayed in the Special Leave Petition filed and only status quo has been granted for implementation of the said judgment by Hon'ble Supreme Court of India by which, the employees, whose services were already regularized, were to be reverted as per the judgment of the Division Bench in ***Yogesh Tyagi and others's case (supra)***, hence, no further benefit can be given by this Court in favour of the petitioners under the said policy so as to regularize their services as the same stands quashed by the Competent Court of Law. Learned State counsel submits that in case, after the judgment of the Hon'ble Supreme Court of India, any right accrues to the petitioners, the petitioners should avail the said remedy at the appropriate given point of time.

Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition seeking regularization may kindly be treated as having not been pressed any further with liberty to the petitioners to invoke their right after the decision of the Hon'ble Supreme Court of India.

Ordered accordingly.

CM-16081-CWP-2022

As the main petition has been disposed of as not pressed, the present application also stands disposed of having been not pressed.

November 14, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No