

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

(202)

CWP-27056-2019

Date of Decision : July 18, 2022

Rahul Sharma and another

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh Nain, Advocate, for petitioner No.1.

Mr. Pardeep Sehrawat, Advocate, for petitioner No.2.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners argues that the petitioners' services were terminated by the respondents on 12.09.2019 (Annexures P-7 and P-8), which orders are under challenge.

Learned counsel for the respondents submits that though, the order terminating the services of the petitioners is under challenge but as of now, the term of appointment under the contract has already expired, hence, the petitioners, who were appointed on contract basis for a specific period, do not have any right to continue after the expiry of their term. Learned counsel further submits that keeping in view the above, the present writ

petition has been rendered infructuous and the same may kindly be disposed of as such.

Faced with this situation, learned counsel for the petitioners submits that the petitioners have been working with the respondents for the last about seven years and though at this stage petitioners do not press their claim qua the impugned orders but as the respondents are in a process for recruiting regular incumbents in respect of the posts against which the petitioners are working and therefore, the petitioners be allowed to continue till the regular incumbents joins.

Learned counsel for the respondents submits that in case, the petitioners file any representation raising the said claim, the same will be considered in accordance with law by passing appropriate orders and in case, it is found feasible to allow the petitioners to continue, the said benefits will be given failing which, the orders terminating the services of the petitioners Annexures P-7 and P-8 will be implemented.

Learned counsel for the petitioners submits that the present petition may kindly be disposed of with liberty to the petitioners to approach the respondents with a prayer to allow them to continue in service till the regular incumbent joins.

Ordered accordingly.

It is made clear that in case, any representation is filed by the petitioners within a period of next seven days, the same will be considered and appropriate order on the same will be passed as undertaken by the learned State counsel and the petitioners will be allowed to continue in service till the decision of their claim as raised in the representation but in case, no such representation is received by the respondents within the

prescribed duration, the respondents will be at liberty to implement the orders Annexures P-7 and P-8.

July 18, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No