

CWP No. 15753 of 2018 and other connected matters

2023:PHHC:110108

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 228)

(1) CWP No. 15753 of 2018
Date of Decision : 22.08.2023

Arif Hussain and others ...Petitioners

Versus

State of Haryana and others ...Respondents

(2) CWP No. 19417 of 2018

Arshad and others ...Petitioners

Versus

State of Haryana and others ...Respondents

(3) CWP No. 19415 of 2018

Samay Singh and another ...Petitioners

Versus

State of Haryana and others ...Respondents

(4) CWP No. 5179 of 2019

Raj Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

CWP No. 15753 of 2018 and other connected matters

2023:PHHC:110108

2

(5) CWP No. 5968 of 2019

Fakruddin and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(6) CWP No. 10201 of 2019

Jitender Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(7) CWP No. 10226 of 2019

Amar Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(8) CWP No. 10229 of 2019

Rakesh Sharma and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CWP No. 15753 of 2018 and other connected matters

2023:PHHC:110108

3

(9) CWP No. 10232 of 2019

Suresh Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

(10) CWP No. 10273 of 2019

Narender Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

(11) CWP No. 10446 of 2019

Mukesh Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

(12) CWP No. 37066 of 2019

Ashok Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

CWP No. 15753 of 2018 and other connected matters

2023:PHHC:110108

4

(13) CWP No. 3022 of 2020

Tahir Hussain and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(14) CWP No. 433 of 2020

Arshida and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(15) CWP No. 11448 of 2020

Mohd. Imran and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(16) CWP No. 4895 of 2021

Mohd. Imran Khan and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Ms. Shalini Atri, Advocate for the petitioner(s) in
CWP-15753-2018, CWP-5179-2019, CWP-5968-2019,
CWP-37066-2019, CWP-3022-2020, CWP-433-2020,
CWP-11448-2020 & CWP-4895-2021.

Mr. Sandeep Verma, Advocate and
Mr. Sarfaraj Anjum Mor, Advocate for the petitioner(s)
in CWP-19417-2018, CWP-19415-2018, CWP-10201-2019,
CWP-10226-2019, CWP-10229-2019, CWP-10232-2019,
CWP-10273-2019 and CWP-10446-2019.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Mr. Anuj Dewan, Advocate and
Mr. Sachin Dhamija, Advocate for respondent No. 4
in CWP-10229-2019.

Harsimran Singh Sethi J. (Oral)

By this common order, a bunch of writ petitions, the details of which have been given in the heading, are being decided as all the petitions involve the same question of law on similar facts.

The present bunch of petitions relates to the contractual employees, who are either continuing in service or their services have been dispensed with.

The main contention of the petitioner(s) is that they should not be replaced with the another set of contractual employees keeping in view the settled principle of law.

Learned State counsel submits that in case any employee is already continuing in service as of now, even if they are continuing in service under the orders of the courts, they will be allowed to continue till the work of the said posts exists with the respondents and they will not be replaced with another set of contractual employees on the same terms and conditions. Learned State counsel submits that in case the work does not

exist qua any post, appropriate speaking order will be passed giving the reasons.

Learned counsel for the respondents further submits that after the change of the Policy, all the outsourcing employees are to be appointed through the Haryana Kaushal Rozgar Nigam and in case, petitioner(s) get themselves registered or already registered with the said Nigam and their names will be recommended by the Nigam in case any requisition is received from any department keeping in view the eligibility of the petitioner(s).

Learned counsel for the petitioner(s) submits that keeping in view the statement of learned counsel for the respondents, the grievance of the petitioner(s) raised in the present petitions stands redressed hence the present petitions may kindly be disposed of having been not pressed any further.

Ordered accordingly.

August 22, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No