

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CWP No. 22214 of 2015

Date of Decision : 11.09.2023

Divya Girdhar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Lalit Rishi, Advocate for the petitioners.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the prayer of the petitioners is that they should be allowed to continue in service and should not be replaced with the similarly situated contractual employees with the same terms and conditions.

2. Learned counsel for the petitioners submits that while issuing notice of motion, the respondents were restrained from terminating the services of the petitioners and as of now, the petitioners have already been granted extension to continue in service upto 31.03.2024, hence, the present petition has been rendered infructuous.

3. Learned State counsel submits that the extension in service has been granted keeping in view the interim order passed by this Court hence, the present petition has not been rendered infructuous rather, the State be given liberty to pass appropriate order after the expiry of the present term of extension to the effect whether keeping in view the

workload of the post in question, service of the petitioners is required to be extended or not.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Once, the petitioners have been allowed to continue in service though, under the orders of the Court and also are being paid their salary and their extension in service is upto 31.03.2024, the petitioners shall be allowed to continue in service till the extension already granted. It is made clear that after the extension given to the petitioners to continue in service expires in March, 2024, the State will be at liberty to assess as to whether, the work of the post on which the petitioners are working exists or not. The said opinion will be formed on the basis of the Instructions already issued by the Government in that regard. In case, as per the opinion of the Government, the work of the post on which the petitioners are working, exists, the petitioners will be allowed to continue till they are replaced by the regularly selected candidates or the work exists, whichever is earlier. In case, the respondents are of the view that the work of the post on which the petitioners are working does not exist, appropriate speaking order will be passed giving the reason for the same and the same be conveyed to the petitioners.

6. Petition is disposed of in above terms.

September 11, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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