

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.15937 of 2023

Date of Decision:28.07.2023

Anjana Masih and another

...Petitioners

Vs

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Stephan Masih, Advocate
for the petitioner.

Mr. Pankaj Midha, Addl. A.G., Haryana.

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HARSIMRAN SINGH SETHI J.

Learned counsel appearing for the petitioners submits that the petitioners were appointed during the Covid-19 period on various posts, such as Lab Technician but now, the department has decided to terminate their services, so as to make fresh appointment on contract basis on the same terms and conditions on which the petitioners are already working, which fact is clear from the advertisement dated 15.06.2023 (Annexure P-6).

Learned counsel appearing for the petitioners further submits that as per the settled principle of law, petitioners, who were already working on contract basis, cannot be replaced by another set of contractual employees on the same terms and conditions.

Notice of motion.

Mr. Pankaj Midha, Addl. A.G., Haryana, who is present in Court, accepts notice on behalf of the respondents and submits that keeping in view the order passed by the department dated 26.06.2023, it has been decided not to make

any appointment to the posts of Staff Nurse, ANM and Laboratory Technicians till further orders.

Learned State counsel further submits that keeping in view the said factum that no recruitment is being made in pursuance to the advertisement dated 15.06.2023 (P-6), hence, question of replacing the petitioners does not arise.

Faced with this situation, learned counsel appearing for the petitioners submits that the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioners to file a fresh writ petition in case the respondents resort to make fresh selection on contract basis rather than allowing the petitioners to rejoin the service.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

July 28, 2023
Pankaj*

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