

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 216)

(1)

CWP No. 26146 of 2017 (O&M)
Date of Decision : 21.09.2023

Virender Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

(2)

CWP No. 27434 of 2017

Manju

...Petitioner

Versus

State of Haryana and others

...Respondents

(3)

CWP No. 27438 of 2017

Versha

...Petitioner

Versus

State of Haryana and others

...Respondents

(4)

CWP No. 27557 of 2017

Panchma

...Petitioner

Versus

State of Haryana and others

...Respondents

2023:PHHC:124627

(5)

Ashok Kumar

Versus

...Respondents

(6)

Virender Kumar

Versus

...Respondents

(7)

Rajbir Singh

Versus

...Respondents

(8)

Ravi

Versus

...Respondents

(9)

Manoj Kumar and another

Versus

...Respondents

CWP No. 26146 of 2017 (O&M)

2023:PHHC:124627

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(10)

CWP No. 27647 of 2017

Jitender Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

(11)

CWP No. 29631 of 2017

Surjeet Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

(12)

CWP No. 3905 of 2018

Arun Chandna

...Petitioner

Versus

State of Haryana and others

...Respondents

(13)

CWP No. 3846 of 2018

Varun Uppal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:

Mr. Samrat Malik, Advocate for the petitioner
in CWP-26146-2017.

Mr. Chanderhas Yadav, Advocate for the petitioner(s)
in remaining cases.

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

Harsimran Singh Sethi J. (Oral)

CM-2296-CWP-2018 in CWP-26146-2017

Present application has been filed for placing on record documents as Annexures P-6 and P-7.

Application is allowed and documents as Annexures P-6 and P-7 are taken on record with all just exceptions.

CWP-26146-2017 and other connected cases

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

In the present petitions, the claim of the petitioner(s) is with regard to the grant of benefit of regularization of their services under the Policy issued in June, 2014.

Learned counsel for the petitioner(s) very fairly concedes that the said Policy has already been set-aside by this Court while passing order in ***CWP No.17206 of 2014 titled as Yogesh Tyagi and another vs. State of Haryana and others***, decided on 31.05.2018, however the said matter is already pending in the Hon'ble Supreme Court of India.

Keeping in view the fact that as of now, no regularization policy exists as the judgment of this Court in ***Yogesh Tyagi's case (supra)***, wherein the Policy has been set-aside, has not been stayed and is

operational, hence, the present petitions are disposed of with liberty to the petitioner(s) that in case after the judgment is passed by the Hon'ble Supreme Court of India, any right accrues to the petitioner(s) to claim the benefit of regularization of the services under the Policy concerned, they will be at liberty either to revive the present petitions or to file a fresh petition.

Further, in case, henceforth the respondents pass any order causing prejudice to the petitioner(s) qua their services, the petitioner(s) will be at liberty to avail appropriate remedy before the appropriate forum.

In case, respondent-department is of the view that the work of the post on which petitioner(s) are working exists they will be allowed to continue in service, otherwise detailed order will be passed by the respondent given reasons for not allowing the petitioner(s) to continue in service and whether the work of the post exists, will be decided by the respondents keeping in view the various instructions issued by the respondents in that regard.

Petitions are disposed of in above terms.

A photocopy of this order be placed on the file of connected cases.

September 21, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No