

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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(i) CWP-1687-2018 (O&M)
Date of decision : 07.03.2024

Gurjaswinder Singh and othersPetitioners

V/S

State of Punjab and othersRespondents

(ii) CWP-4295-2018
Date of decision : 07.03.2024

Harwant Singh and othersPetitioners

V/S

State of Punjab and othersRespondents

(iii) CWP-11644-2018
Date of decision : 07.03.2024

Gurtej Singh and othersPetitioners

V/S

State of Punjab and othersRespondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Kanav, Advocate for
Mr. Karan Sachdeva, Advocate for the petitioner(s).

Mr. Teevar Sharma, AAG, Punjab.

Mr. P.I.P. Singh, Advocate for respondents No.3 & 4.

Mr. Kannan Malik, Advocate for respondent No.6.

NAMIT KUMAR, J. (ORAL)

1. This Judgment shall dispose of CWP Nos.1687, 4295 and
11644 of 2018 as common question of facts and law are involved

therein. For the sake of convenience, facts are taken from CWP No. 1687 of 2018.

2. The petitioners, who have been employed through respondent No.6-contractor, have approached this Court by filing the instant writ petitions under Article 226 of the Constitution of India seeking a writ in the nature of mandamus for directing the respondents not to terminate the services of the petitioners after 31.01.2018 by recruiting the new candidates.

3. Vide order dated 29.01.2018, it was ordered that services of the petitioners shall not be terminated, however, later on the said order was clarified on 25.05.2023 that the order dated 29.01.2018 shall not be read as a blanket order clogging upon the right of the respondent-employer to take action against the petitioners, in accordance with law.

4. Learned counsel for respondent No.6 submits that after 25.05.2023, services of some of the petitioners have been terminated and the said termination was challenged by them by filing CWP-267-2024 titled as 'Joga Singh Vs. State of Punjab and others'; CWP-309-2024 titled as 'Amandeep Singh Vs. State of Punjab and others'; CWP-310-2024 titled as 'Mani Kumar Vs. State of Punjab and others'; CWP-313-2024 titled as 'Surinder Pal Sharma Vs. State of Punjab and others' and CWP-319-2024 titled as 'Gurtej Singh Vs. State of Punjab and others' which were dismissed by this Court vide judgment dated 19.01.2024 by holding that the writ petition against the private contractor is not maintainable.

CWPs-1687, 4295 & 11644 of 2018 3

5. In view of the reasoning given in the judgment dated 19.01.2024 passed in CWP No.267 of 2024 and other connected matters, the instant writ petitions are dismissed being not maintainable.
6. Pending applications, if any, shall stands disposed of accordingly.

07.03.2024
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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No