



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113) CM-15755-CWP-2024 in/and
CWP-24398-2023 (O&M)
Date of Decision : 30.09.2024

Bachittar Singh and others
...Petitioners

Versus

State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Deepak Gupta, Advocate for the petitioners.
Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

CM-15755-CWP-2024

Present application has been filed for preponing the date of hearing of the CM-6794-2024, which stands adjourned to 18.12.2024.

Notice of the application to the counsel opposite.

Mr. Deepak Gupta, Advocate, who appears on behalf of the petitioners, accepts notice and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the above, application is allowed and the hearing of the CM-6794-2024 is preponed from 18.12.2024 to today.

Further, on joint request of learned counsel for the parties, main petition is also preponed for today and taken up for final disposal.

CWP-24398-2023 (O&M)



In the present petition, the grievance being raised by the petitioners is that the petitioners are not being allowed to mark their presence and to perform their duties and they are not being considered for regularization of their services as per the Police issued by the Government of Punjab.

Upon notice of motion, the respondents have filed the reply, wherein, they have disputed the master and servant relationship between the petitioners and the department. As per the reply, the petitioners are the employees of an Outsource Agency i.e. respondent No. 13, who has been arrayed in the present petition. Further, the respondents have relied upon the judgment of a Division Bench of this Court in ***Nishan Singh and others Vs. State of Punjab and others***, 2014 (11) RCR (Civil) 262 to hold that outsourcing employees are not entitled for consideration for regularization of their services.

Faced with this situation, learned counsel for the petitioners submits that though, there was an interim order passed in favour of the petitioners by the Co-ordinate Bench on 06.11.2023, the respondents be directed to release the salary of the petitioners.

Learned counsel for the respondents submits that in case, any representation is received from the petitioners with regard to salary for any period, the same will be considered in accordance with law and an appropriate speaking order will be passed within a period of eight weeks of the receipt of any such claim and in case, any salary is found admissible to the petitioners, the same will be released, otherwise due reasons will be



mentioned in the speaking order for not accepting the claim, which will be conveyed to the petitioners.

Learned counsel for the petitioners submits that in view of the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioners to raise grievance with regard to the continuous in service by raising grievance before the appropriate forum.

Ordered accordingly.

Pending miscellaneous application, if any, also stands disposed of.

September 30, 2024
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No