

physical test as well as interview. Their names figured in waiting list at Serial No.3, 4 and 5. They preferred **CWP No.1198-2001** before this Court which was disposed of with a direction to decide their representation. The respondent rejected their representation. They preferred **CWP No.9390-2001** before this court which was allowed on the basis of order passed in **CWP No.2421-2001**. The Commandant 4th BN-HAP called them for recruitment. They were enlisted as Constables. The respondent filed review application in **CWP No.9390-2001**. This Court recalled its order dated 22.10.2002. A Division Bench of this Court vide order dated 15.12.2003 admitted the petition and observed that interim order dated 02.05.2003 shall continue. The respondent filed application seeking clarification of order dated 15.12.2003. The respondent issued notice dated 29.03.2004 whereby terminating services of the petitioners.

4. The petitioners preferred present petition before this Court wherein notice was issued on 06.04.2004. A Division Bench while issuing notice further ordered that the petitioners shall not be relieved from their present position, in case they have not already been relieved. The order dated 06.04.2004 is reproduced as below:

“Notice of motion to the respondents.

*Shri Rajbir Sehrawat, Senior Deputy Advocate General,
Haryana, accepts notice on behalf of respondent Nos.1 to 3.*

*Shri Balhara is directed to hand over three sets of paper
book to Shri Rajbir Sehrawat today itself.*

Notice of the remaining respondents be given Dasti.

Notice of stay as well.

Put up for arguments on 04.05.2004.

*Till the next date, the petitioners shall not be relieved from
their present positions, in case they have not already been
relieved.”*

5. Mr. Samrat Malik, Advocate submits that as per his instructions, few respondents are still in service and remaining have either passed away or retired.

6. Learned State counsel expressed his inability to controvert aforestated factual and legal position.

7. From the record, it appears that petitioners on account of orders of this Court were permitted to join service in 2003 and they were attempted to be terminated by impugned order of 2004. On account of interim orders of this Court, they are still in service.

8. In view of efflux of time and continuation of petitioners in service since 2003, this Court deems it appropriate to make absolute interim order dated 06.04.2004.

9. Accordingly, the petitions stand ***disposed of***.

10. The petitioners as well as respondents who are in service would not be disturbed on account of one or another reason which formed basis of instant petitions.

(JAGMOHAN BANSAL)
JUDGE

25.08.2025

Prince Chawla

Whether Speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No