



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CWP-11499-2021 (O&M)
Date of decision: 09.01.2025

Rakhal and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. B.S. Patwalia and Mr. Abhishek Masih, Advocates
for the petitioners.

Mr. Arun Gupta, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for regularization of services that has been rejected vide impugned order, Annexure P-18.
2. Learned counsel submits that the petitioners were working as staff nurses since 2009-2010 on contract basis and appointed through a regular process of selection for 3 years and thereafter they were taken over by Department of Director, Health and Family Welfare Punjab. The issue involved in this case already stands decided by this Court in **Mrs. Gurmeet Kaur and others vs. State of Punjab and others**, CWP-23027-2016, on 24.09.2024 alongwith another petition, covers their case on all fours, which learned State counsel has not been able to controvert regards factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law, the relevant paras whereof read thus:-

“7. Learned counsel for the petitioners has undertaken before this Court that in case, the judgment in Sukhjad Singh’s case



(supra) is modified or set aside by the Hon’ble Supreme Court of India, the same can be made applicable upon the petitioners as well without there being any appeal against the present order.

8. With regard to the contention of the learned counsel for the respondents that the petitioners were employees of the outsourcing agency, it may be noticed that once, the said outsourcing agency is also a Government undertaking and not a private institution and the petitioners were being paid from the State Exchequer, the respondent cannot take the said objection that the petitioners were appointed through outsourcing agency especially when, starting from the year 2013, the petitioners were the direct appointees with the department of the Forest Department, Punjab and have rendered 9 years of service as of now.

9. Keeping in view the above, the present petitions are also disposed of in terms of Sukhjad Singh’s case (supra) with the condition that in case, the said judgment is modified or set aside by the Hon’ble Supreme Court of India, the same will be ipso facto made applicable upon the petitioners without their being any appeal preferred by the respondents.

10. Let the present order be complied with within a period of 8 weeks from the date of receipt of copy of this order.”

3. Accordingly, the present petition is disposed of in terms of the judgment passed in **Gurmeet Kaur** (supra).

(AMAN CHAUDHARY)
JUDGE

09.01.2025
Hemant

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