



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

109

CWP-17808-2025 (O&M)

Date of decision: 03.07.2025

Suman

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Alka Chatrath, Advocate and
Ms. Ratik Kapur, Advocate and
Ms. Dhamanpreet Kaur, Advocate for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

1. Challenging the order dated 03.02.2025, whereby the petitioner has been relieved from service despite a recommendation having been made in her favour for extension, the instant writ petition has been filed.
2. Learned counsel appearing on behalf of the petitioner has vehemently argued that the petitioner was initially engaged on the post of Security Guard on 01.07.2018 at the Employees State Insurance Health Care Centre, Faridabad, through an outsourcing agency, and she worked from 01.07.2018 to 20.07.2019. She was re-appointed to the same post on 18.10.2019 and continued working uninterruptedly until 15.03.2024. In the interregnum, the Government of Haryana issued instructions dated 28.09.2021, thereby discontinuing fresh engagements under Outsourcing Policy Part-I and II. Subsequently, a notification dated 30.06.2022, pertaining to the Deployment of Contractual Persons Policy, 2022, was



made applicable with effect from 01.04.2022. In accordance therewith, the petitioner, who had been engaged through the outsourcing agency, was registered with the Haryana Kaushal Rozgar Nigam and continued to discharge her duties. She contends that her service contract was extended vide letter dated 04.07.2024 for the period commencing from 01.08.2024 to 31.07.2025. Thereafter, the department forwarded a proposal for further extension of the petitioner's service till the year 2026, on the ground that her services were still required. She further submits that, as per the provisions of the Haryana Contractual Employees (Security of Service) Act, 2024, an eligible contractual employee who has rendered more than five years of service in terms of the policy as on the applicable date is entitled to continue in service until attaining the age of 58 years. She also points out that the Zila Sainik and Ardh Sainik Welfare Department, Haryana, had forwarded the petitioner's request to the Head Office for sympathetic consideration of her claim, while also highlighting that a vacancy was available at Palwal.

3. Learned counsel for the petitioner further contends that a legal notice was served by the petitioner upon the respondents, raising her claim, and although a reply was furnished by the respondents to the initial show cause notice, the vital issues raised therein were not addressed. Consequently, a detailed legal notice dated 15.05.2025 (Annexure P-17) was served by the petitioner, wherein specific reference was made to the relevant policy and decisions applicable in her favour. It is submitted that the petitioner would be satisfied, at this stage, if the respondents are directed to take a considered decision on the aforesaid legal notice dated 15.05.2025



(Annexure P-17) and to pass a reasoned and speaking order thereupon.

4. Notice of motion.

5. Mr. Vikrant Pamboo, Addl. AG Haryana accepts notice on behalf of the respondents and prays for some time to complete instructions and file response, if necessary. He, however, does not have any objection to the above request.

6. Accordingly, the present petition is **disposed of** with the consent of the parties and without commenting on the merits of the case, by directing respondent No.3–Director General, Sainik and Ardh Sainik Welfare Department, Haryana, to consider and decide the aforesaid legal notice dated 15.05.2025 (Annexure P-17) by passing a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this order.

(VINOD S. BHARDWAJ)
JUDGE

03.07.2025

Mangal Singh

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