



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2821-2024 (O&M)
DECIDED ON: 16.01.2026

RISHI PAL

.....PETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ravinder Malik, Sr. Advocate with
Mr. Garvit Mittal, Advocate
for the petitioner(s)

Mr. Deepak Balyan, Addl. AG. Haryana

Mr. Mayank Bajaj, Advocate
for respondents No.2 and 3

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India praying for the issuance of a writ, order or direction especially a writ in the nature of certiorari for quashing the impugned instruction dated 03.11.2017 (Annexure P-8) to the limited extent of not granting the benefit of Dearness Allowance to the employees of State Departments/Boards/Corporations, including the petitioner, the same being illegal, arbitrary and in contravention to the settled proposition of law by the Hon'ble Apex Court in case titled as "*State of Punjab and Ors. Vs. Jagjit Singh & Ors.*", 2017 1 SCC 148 read with order dated 16.08.2022 (Annexure P-19)

passed by the Hon'ble Supreme Court of India in Contempt Petition (Civil) Nos. 399 of 2020, 400 of 2020 and 401 of 2020 and further followed by the Division Bench of this High Court vide its order dated 14.12.2023 (Annexure P-20) passed in LPA No. 292 of 2023 titled as "***Haryana State Legal Services Authority and others Vs Karam Pal & Ors***".

2. Learned State counsel submits that during the pendency of the present petition, the Government of Haryana has framed the *Haryana Contractual Employees (Security of Service) Rules, 2025* under the *Haryana Contractual Employees (Security of Service) Act, 2024*, which were notified in the e-Gazette, Haryana, on 05.08.2025.

3. Learned State counsel has also produced before this Court a copy of a communication issued by the Human Resources Department, Government of Haryana, dated 23.12.2025, which stipulates the timelines for processing cases on the online portal, including submission of applications by employees, verification by the Drawing and Disbursing Officers (DDOs), creation of supernumerary posts by the Finance Department, and final approval/issuance of orders granting security of service by the concerned Heads of Government Organizations (HoDs).

4. The procedure, by and large, being adopted by the State Government in terms of the notification dated 05.08.2025, the Rules framed thereunder, as well as the communication dated 23.12.2025, clearly establishes that a dedicated online portal module has been developed for submission of applications to ensure transparency, accuracy, and uniformity in the processing of applications relating to security of service under the said Rules, and that employees are required to submit their applications on the said portal.

5. Learned State counsel further refers to Rule 9 of the Rules of 2025, under which the petitioner and other similarly situated employees may submit

their applications for consideration, inter alia, with regard to dearness allowance and annual increments as well.

6. In the light of the aforesaid submission, learned counsel for the petitioner prays for withdrawal of the instant petition with liberty to move the necessary application on the portal for consideration of his case for the reliefs prayed for in the present petition.

7. The prayer is accepted.

8. The petition is dismissed as withdrawn with the aforesaid liberty.

9. Pending application(s), if any shall disposed off.

16.01.2026

Meenu

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No