



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CWP-10386-2001(O&M)
Date of Decision: 12.02.2026

ROSHAN LAL

...Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Kartikey Chaudhary, Advocate and
Mr. Anshul Labana, Advocate
for the petitioner.

Mr. Aakash Singla, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the memo dated 11.07.2000, Annexure P-4, whereby the petitioner was terminated from service. Further, a writ of *mandamus* has been sought directing the respondents to regularise him in service in the light of Policies dated 28.02.1991, 11.05.1994, 17.06.1997 and 26.08.1997, Annexures P-7 to P10, respectively.

2. As apparent on record, the petitioner was appointed as a Clerk in Industrial Training Institute (ITI) (WW), Bhiwani, vide letter dated 12.01.2000, Annexure P-3, purely on temporary basis for a period of six months or until further orders, whichever was earlier. In terms thereof, he worked for the said period and upon completion of tenure his services were terminated vide impugned memo dated 11.07.2000, as per the terms and conditions set out in the appointment letter.

3. Learned counsel for the petitioner contended that the petitioner was entitled to reinstatement in service as he had earlier worked in the Department on

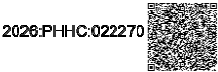


ad hoc basis from 27.07.1985 to 05.06.1986. Although his services were dispensed with on account of absence from duty after 06.06.1986, it was occasioned by his implication in a criminal case. He was subsequently acquitted by the trial Court. Considering these facts and taking a sympathetic view of the case, he was directed to be taken back in service with immediate effect under orders of the then Chief Minister, conveyed by the Additional Principal Secretary to Chief Minister on 03.06.1999, as reproduced in para 5 of the petition. Accordingly, he has a right to reinstatement and consequent regularisation in terms of the Policies aforementioned.

4. Learned State counsel, on the contrary, contended that the petitioner's termination was in terms of his appointment which was for a period of six months only. This is apparent from his appointment letter dated 12.01.2000, which is not under challenge. He also pointed out that even the orders of the then Chief Minister specifically mentioned that the petitioner would not be given benefit of pay for the period he remained out of service and would not claim benefit for this period for any other purpose in terms of the undertaking furnished by him.

5. Considering the submissions, this Court finds no merit in the petition for the reason the petitioner was given a fresh appointment vide letter dated 12.01.2000, which was on temporary basis for a period of six months. The terms thereof were accepted and acted upon by him without any protest. Upon completion of the contractual period, his services were terminated, which cannot be taken exception to. Merely because he had earlier worked in the Department on *ad hoc* basis for about one year, or pursuant to acquittal in a criminal case he was extended an appointment in terms of orders of the then Chief Minister, it could not be a ground to seek reinstatement or the consequential regularisation.

Despite the order of the Chief Minister, he was offered a fresh appointment for a



limited period which was willingly accepted by him. Hence, he cannot claim anything beyond the terms and conditions of the appointment.

- 6. In view thereof, the petition stands dismissed.
- 7. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

12.02.2026
Ad

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