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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6461-2026 (O&M)
Date of decision: 07.05.2026

Ashok Kumar

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Neha Bansal, Advocate (*through video conferencing*) and
Ms. Harjeet Kaur, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl. AG, Haryana.

Mr. Sukhdeep Parmar, Advocate
for respondents No.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

1. Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the speaking order dated 10.07.2025 (Annexure P-16), vide which claim of the petitioner for security of service under the Haryana Contractual Employees (Security of Service) Act, 2024 (for short 'Act of 2024') has been rejected and further to issue a writ in the nature of *mandamus* directing the respondents to regularize the services of the petitioner as Data

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Entry Operator (Computer Operator) with Haryana Shehri Vikas Pradhikaran with effect from the date of his eligibility under the regularization policy dated 18.06.2014 for Group 'C' & 'D' on completion of three years of service, reckoned from 18.05.2008, by notionally treating the unjust break from 28.08.2011 to 16.09.2013 as continuous service for all the benefits, at par with his similarly situated employees, whose services have been regularized and also to grant all the consequential benefits along with interest @6% *per annum*.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was engaged as Data Entry Operator (Computer Operator) with the respondent-Haryana Shehri Vikas Pradhikaran on 18.05.2008 on DC rates and his contract was extended from time to time, as discernible from the office orders/letters dated 19.05.2009, 30.06.2009, 09.10.2009, 16.12.2009, 05.04.2010, 28.07.2010 & 10.12.2010 (Annexures P-1 to P-7). The petitioner continuously worked till 28.08.2011 and as such, he rendered more than three years of service. However, his services were abruptly discontinued without issuance of any notice or conducting an inquiry. The petitioner was also not paid salary for 31 months and 10 days during his engagement. He made several representations (Annexures P-8 to P-10). When no action was taken on the said representations, the petitioner filed a writ petition i.e. CWP-23693-2016, which was disposed of vide order dated 04.03.2024 (Annexure P-11) directing the respondents to release his unpaid salary along with



interest. Further, on 06.12.2024, the Act of 2024 came into force and in view of the same, the petitioner again approached this Court by way of filing CWP-12540-2025 and the same was disposed of vide order dated 05.05.2025 (Annexure P-15) directing the respondents therein to consider claim of the petitioner by passing a speaking order. In purported compliance, respondent No.2 passed the impugned speaking order on 10.07.2025, rejecting claim of the petitioner in a mechanical manner, by miscounting his service and ignoring the departmental record. It is further contended that services of his identically circumstanced Data Entry Operators have already been regularized, as discernible from RTI reply dated 08.11.2025 (Annexure P-17). As such, he is also entitled to be regularized.

3. *Per contra*, learned counsel for respondents No.2 to 4 refers to the speaking order (Annexure P-16) and contends that the petitioner is not eligible to avail the benefit of Act of 2024, as in terms of Section 3 thereof, firstly; he is not currently in service and secondly; he has not completed five years of service as on the appointed date. Further, as per own pleadings of the petitioner, he worked for 03 years, 03 months and 10 days, against the eligibility criteria of five years. Thus, he is not entitled to any relief.

4. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner was engaged as Data Entry Operator (Computer Operator) in the respondent-HSVP on 18.05.2008 and his services were dispensed with on 24.08.2011. As



such, he does not satisfy the eligibility criteria laid down in Section 3 of the Act of 2024, which reads as under: -

“3. The eligible contractual employee shall be an employee who,-

(i) (a) has been engaged on contract by the Government Organization and is in the service of such Government Organization on the appointed date and receiving remuneration upto Rs. 50,000/- per month; or

(b) is deployed by the Haryana Kaushal Rozgar Nigam under the Deployment of Contractual Persons Policy, 2022 and is in the service of a Government Organization on the appointed date;

(ii) has completed at least five years service in the Government Organization on full time basis as on the appointed date.”

5. Further, the petitioner worked with the respondent-HSVP for 03 years, 03 months and 06 days, against the eligibility criteria of 05 years, in order to avail the benefit of the Act of 2024. Once the petitioner is not fulfilling the eligibility criteria laid down in the aforesaid Act, he cannot be granted the relief, as sought in the present petition.

6. In view of the discussion above, this Court does not find it appropriate to invoke its extraordinary writ jurisdiction under Article 226 of the Constitution of India. Accordingly, the present petition is dismissed.

7. The pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

07.05.2026
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No