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

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CWP-10283-2026(O&M)
Date of decision: 06.04.2026

Pargash Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. R.P.S. Jammu, Advocate and
Mr. Buta Singh, Advocate and
Mr. Naveen Sihag, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Mr. Sarbuland Singh Mann, Advocate
for respondents No.3 & 4.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature *certiorari* for setting aside the action of the respondent No.4 i.e. reply to the legal notice dated 16.02.2026 (Annexure P-5) vide which the claim of the petitioner for regularization has been declined by the respondent No.4. Further prayer has been made for directing the respondents to regularize the service of the petitioner as Driver on 16.04.2013 and since then he is working regularly on contractual appointment and the case of the present petitioner is squarely covered by the judgment dated 25.08.2025 passed by this Court in CWP No.10146 of 2023 titled as **"Manjeet Singh and others Vs. State of Punjab and others"** wherein the services of similarly situated



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employees were regularized, in the interest justice and fitness of things. It is further prayed for directing the respondents to count the past service and to grant other benefits as per judgments passed by this Court in CWP-2371-2010 titled as "Harbans Lal Vs. State of Punjab", and LPA No.1892 of 2019 "State of Haryana and others Vs. Jai Bhagwan".

2. Learned counsel for the petitioner *inter alia* contends that petitioner's case is squarely covered by the judgment passed by this Court in Manjeet Singh's case (supra), wherein the similarly situated employees were regularized and granted benefit of the past service. The respondents have also ignored the Regulation Policy and have disregarded the statutory compliance of the Punjab Ad Hoc, Contractual, Daily Wage, Temporary, Work Charged and Outsourced Employees Welfare Act, 2016 (hereinafter referred to as '2016 Act'), under which the petitioner's right to be regularized was crystallized upon completion of 3 years of service and this Court in CWP-12434-2022 titled as 'Akash Sharma Vs. State of Punjab & ors.', decided on 13.02.2026, has already examined the issue and held that without any repeal, the 2016 Act is still enforceable.

3. Notice of motion.

4. Mr. Vikas Sonak, AAG, Punjab and Mr. Sarbuland Singh Mann, Advocate, who is present in the Court, accept notice on behalf of respondents No.1 & 2 and respondents No.3 & 4 respectively.

5. Learned counsel for respondents No.3 and 4 is not in a position to controvert the fact that the reply submitted in response to the legal notice is contrary to the judgment rendered in Akash Sharma's case (supra) and submits



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that fresh order shall be passed in terms of the judgments rendered by this Court in **Manjeet Singh's case (supra)** and **Akash Sharma's case (supra)**.

6. Learned counsel for the petitioner further submits that at this stage, the petitioner would be satisfied, in case the reply to legal notice dated 16.02.2026 (Annexure P-5) be set aside and a direction be issued to respondents No.2 & 4, to decide the legal notice dated 29.01.2026 (Annexure P-4) in the light of the judgments rendered by this Court in **Manjeet Singh's case (supra)** and **Akash Sharma's case (supra)** by passing a speaking order, after affording an opportunity of hearing to the petitioner, in a time bound manner.

7. In view of the limited prayer made by learned counsel for the petitioner, present petition is disposed of and respondents No.2 and 4 are directed to consider and decide the legal notice dated 29.01.2026 (Annexure P-4) in the light of the judgments rendered by this Court in **Manjeet Singh's case (supra)** and **Akash Sharma's case (supra)** and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of three months from the date of receipt of certified copy of this order.

8. Further, the decision taken on the legal notice dated 29.01.2026 (Annexure P-4) shall be conveyed to the petitioner.

9. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith by the competent authority.

06.04.2026

(HARPREET SINGH BRAR)
JUDGE

monika

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No