

CWP-10219-2026

2026:PHHC:052331



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

142

CWP-10219-2026

Date of Decision: 06.04.2026

Shamlal

.....Petitioner

VERSUS

Haryana State Agricultural Marketing Board Through Its Chief
Administrator And Another

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. Nischal Chetanya Manchanda, Advocate,
Mr. Vipul Thakur, Advocate and
Mr. Saksham Kaushik, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of *certiorari* for quashing the action of the respondents in not considering the case of the petitioner within the ambit of the Haryana Contractual Employees (Security of Service) Act, 2024 and further it is prayed for issuance of a writ in the nature of *mandamus* directing the respondents to consider the case of the petitioner under the provisions of the Haryana

CWP-10219-2026

2026:PHHC:052331



Contractual Employees (Security of Service) Act, 2024 and to release all consequential benefits to which the petitioner is entitled thereunder. Further, for issuance of a writ in the nature of *mandamus* directing the respondents to grant the benefit of “equal pay for equal work” to the petitioner at par with regular employees, as the petitioner is discharging duties identical to those performed by regular employees and for issuance of a writ in the nature of *mandamus* directing the respondents to grant all service benefits accrued to the petitioner, including increments and other admissible benefits, along with interest @ 12% per annum, the petitioner having rendered more than seven years of continuous service and for issuance of a writ in the nature of *mandamus* directing the respondents to decide the legal representation dated 01.02.2026 submitted by the petitioner, Annexure P-5, within a time-bound manner.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was appointed as Chowkidar on DC rates on contractual basis with the respondent-Department in the year 2019 and he has been continuously working for more than seven years. Petitioner performs full-time duty as there is no other Class IV employee in the office of respondent-Department. The Government of Haryana enacted Haryana Contractual Employee (Security of Service) Act, 2024 w.e.f. 06.12.2024, providing that the contractual employees who would have five years of continuous service shall be entitled to the security of continuing in service till the age of superannuation. Moreover, respondent No.2 has recommended the petitioner’s case on 23.05.2025 to

CWP-10219-2026

2026:PHHC:052331



respondent No.1. Following which the petitioner served legal notice on 01.02.2026 seeking the benefit of 2024 Act which remains unheeded. Learned counsel for the petitioner further submits that the case of the petitioner is squarely covered by the judgment rendered by this Court in ***Dinesh Kumar and others vs. State of Haryana and others, CWP-5144-2026, decided on 27.02.2026.***

3. Notice of motion.

4. Mr. Vikrant Pamboo, Advocate, appearing on behalf of respondents No.1 and 2, is not in a position to controvert the rule of law culled out by this Court in ***Dinesh Kumar and others (supra)*** and submits that the representation of the petitioner would be considered and decided in the light of ***Dinesh Kumar and others (supra)***.

5. Having heard the learned counsels for the parties and after perusal of the record, it transpires that the petitioner is serving the respondent-Department continuously for the last seven years and he was fully eligible in terms of Section 2 and Section 4 of the Act of 2024 as he has completed the stipulated five years of service in a Government Organization on contract basis.

6. As such, the present petition is disposed of at this stage with direction to the respondent No.1 to decide the representation/petition in the light of judgment rendered by this Court in ***Dinesh Kumar and others (supra)***.

7. In case, the petitioner has completed five years of service, he be granted security of service till the age of his attaining superannuation in Section 4 of the Act within a period of six weeks.

CWP-10219-2026

2026:PHHC:052331



7. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

06.04.2026
Parul Verma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No