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

LPA-1505-2026 (O&M)

Date of Decision: 27.05.2026

STATE OF HARYANA AND OTHERS

.....APPELLANT(S)

VERSUS

SURENDER KUMAR

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Pankaj Middha, Addl., AG, Haryana and
Mr. Saurabh Mohunta, DAG, Haryana,
for the applicants-appellants.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-3688-LPA-2026 (exemption)

1. Allowed, subject to all just exceptions.

CM-3689-LPA-2026 (delay)

2. This application under Section 5 of the Limitation Act has been filed on behalf of the applicants-appellants seeking condonation of delay of 103 days in filing the accompanying appeal.

3. For the reasons mentioned in the application, the same is **allowed** and delay of 103 days in filing the accompanying appeal stands condoned.

Main Case (O&M)

4. This appeal is by the State of Haryana assailing the order passed by the learned Single Judge directing regularization of the respondent(s)/writ petitioner(s).

5. Learned counsel for the appellant(s) submits that the consideration of facts of each case are lacking, and it is also not clear as

to under which policy the relief of regularization was being claimed. It is further submitted that merely because ten years have been completed, would not give right to the employees for regularization unless the same is, otherwise covered by the policy framed for regularization.

6. Despite advance notice having been served by the learned State counsel, no one has appeared on behalf of the respondent(s).

7. The legality of these schemes had fallen for consideration before the Division Bench of this Court in ***Yogesh Tyagi and another v. State of Haryana and others, CWP No.17206 of 2014***. The judgment of the Division Bench in ***Yogesh Tyagi*** (supra) has been interfered with by the Hon'ble Supreme Court in the case of ***Madan Singh and others vs. State of Haryana***, Civil Appeal No.1996 of 2024, decided on 16.04.2026. More so, similar matters have been disposed of by us on 23.04.2026, with leading case being LPA-1810-2025, titled as ***Aas Mohammad and others vs. State of Haryana and others***.

8. In that view of the matter, we dispose of this appeal with a direction upon the State to examine individual cases of the respondent(s)-writ petitioner(s) for regularization, keeping in view the policy in the light of law laid down by the Hon'ble Supreme Court in the case of **Madan Singh** (Supra), as also the judgment of this Court in ***LPA-1810-2025*** (supra).

9. The direction issued by the learned Single Judge in the impugned judgment stands modified accordingly.

10. Till specific orders as directed by the learned Single Judge

are passed by the authorities, *status quo* with regard to working of the employees would be maintained and the same shall abide by the ultimate orders to be passed by the State in that regard.

11. All pending misc. application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MAY 27, 2026
Ess Kay

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|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |