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

CWP-15747-2026

Date of decision: 27.05.2026

Ramesh Kumar and others

....Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Vinod Bhardwaj, Advocate
for the petitioners.

Mr. Vikrant Pamboo, Additional A.G., Haryana.

Mr. R.K. Chaudhary, Advocate for
Mr. S.S. Parmar, Advocate
for respondent No.7.**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 01.04.2026 (Annexure P-16). Further, for issuance of a writ in the nature of *mandamus* directing the respondents to given the benefit of job security till the date of superannuation to the petitioners under the Haryana Contractual Employees (Security of Service) Act, 2024 and the Haryana Contractual Employees (Security of Service) Amendment Ordinance, 2025 as extended to the similarly situated employees in the State of Haryana.

2. On 20.05.2026, the following order was passed:-

“Learned counsel for the petitioners, inter alia, contends that the petitioners were engaged as Tipper/Tractor Drivers with the Municipal Council, Thanesar for collection of garbage during the years 2016–2017 and have been continuously discharging their



duties for the last 7–8 years. It is further submitted that, upon the establishment of the Haryana Kaushal Rozgar Nigam Limited (HKRNL) in the year 2022, the petitioners were re-deployed through HKRNL after due consideration of their previous service and experience. Their experience details were duly uploaded on the HKRNL portal, as is evident from Annexure P-5, and their EPF contribution history is reflected in Annexure P-6.

*Learned counsel further submits that when an attempt was made to transfer the services of the petitioners to a private contractor, the petitioners approached this Court by filing **CWP-759-2023**. This Court, vide interim order dated 16.01.2023 (Annexure P-7), directed maintenance of status quo and subsequently disposed of the writ petition on 28.03.2023 (Annexure P-8) with a direction to HKRNL to appropriately adjust/place the petitioners. On account of non-compliance of the said directions, the petitioners were constrained to institute **COCP-1777-2023**, pursuant where to 52 employees, including the present petitioners, came to be adjusted in various departments through HKRNL vide order Annexure P-9.*

*It is further contended that the Haryana Contractual Employees (Security of Service) Act, 2024, along with the Amendment Ordinance, 2025 (Annexure P-10), has since been enacted with the object of providing security of tenure to eligible contractual employees. The petitioners thereafter submitted various legal notices and representations (Annexures P-11 to P-14) seeking extension of benefits under the said enactment. Aggrieved by the inaction of the respondents, the petitioners filed **CWP-18031-2025**, which was disposed of on 04.07.2025 (Annexure P-15) with a direction to the respondents to decide the legal notice/legal representation submitted by the petitioners.*

In purported compliance thereof, the respondents passed the impugned order dated 01.04.2026 (Annexure P-16), whereby the claim of the petitioners has been rejected primarily on the ground that they were allegedly appointed afresh in the year 2024. Learned counsel for the petitioners submits that the said finding is wholly arbitrary, contrary to the factual record, and unsustainable in law, inasmuch as the respondents themselves have acknowledged the continuous past service of the petitioners by issuing experience certificates placed on record as Annexures P-17 to P-21.

It is vehemently argued that the petitioners squarely fall within the ambit of the Haryana Contractual Employees (Security of Service) Act, 2024, as they have rendered continuous service for



*more than the prescribed period and their engagement has remained uninterrupted despite administrative restructuring under HKRNL. It is further submitted that denial of statutory protection to the petitioners is violative of the law laid down by this Court in **CWP-5144-2026** titled as **Dinesh Kumar and others Versus State of Haryana and others**, decided on 27.02.2026, wherein similarly situated employees were held entitled to protection and security of tenure under the Act of 2024.*

*At this stage, without commenting upon the merits of the controversy or the conduct of respondent No.4, learned State counsel is directed to file an appropriate affidavit/reply specifically dealing with the claim of the petitioners in the light of the judgment rendered in **Dinesh Kumar (supra)** to clarify the stand of the respondents regarding continuity of service of the petitioners and their entitlement under the Haryana Contractual Employees (Security of Service) Act, 2024.*

List on 27.05.2026.”

3. Learned State counsel submits that the claim of the petitioners would be considered in light of the judgment rendered by this Court in CWP No.5144 of 2026 titled as **Dinesh Kumar and others Vs. State of Haryana and others** decided on 27.02.2026 and eligibility of the petitioners would be decided on the basis of experience certificate (Annexures P-17 to P-19) in light of Section 2 to 4 of the Haryana Contractual Employees (Security of Service) Act, 2024 in a time bound manner.

4. In view of the above, the present petition is disposed of. Respondent No.4 is directed to treat the present writ petition as a comprehensive representation and decide the same in light of judgment rendered by this Court in **Dinesh Kumar's case (supra)** as well as test the eligibility of the petitioners on the basis of experience certificate (Annexures P-17 to P-21) in light of Section 2 to 4 of the Act of 2024 and pass a speaking order after affording them an opportunity to be heard, within a period of four weeks

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from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to say, if the petitioners are found entitled to the relief sought, the same shall be granted forthwith by respondent No.4, failing which, the petitioner would be at liberty to move an appropriate application under Article 215 of Cr.P.C. of the Constitution of India to initiate contempt of Court proceedings.

(HARPREET SINGH BRAR)
JUDGE

27.05.2026*Neha*

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