

CWP-19742-2026

2026:PHHC:089667



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

122

CWP-19742-2026

Date of Decision: **03.07.2026**

Rahul

.....Petitioner

VERSUS

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Amandeep Singh, Advocate for Mr. Chanderhas Yadav,
Advocate for the petitioner.

Mr. Harish Nain, DAG Haryana-State.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Article 226 of the Constitution of India for issuance of an appropriate writ or order in the nature of *certiorari* for setting aside the action of respondent authorities vide which without any notice, letter, show cause notice order or any written communication to petitioner, his services have been terminated orally on 27.05.2026. Further directing the respondents to permit the petitioner to work on the post of Sweeper and to consider the claim of petitioner for regularization in the light of policy decision dated 18.06.2014 (Annexure P-10). Further directing the respondents to regularize service of petitioner on

CWP-19742-2026

2026:PHHC:089667



his respective post i.e. Sweeper along with all consequential benefits, including pending arrears from the date of his initial appointment i.e. 11.11.2016.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was initially engaged as a Sweeper on contractual basis on 11.11.2016 and has continuously and satisfactorily served the respondent-Department for nearly ten years without any break in service. It is submitted that during the entire tenure of his engagement, no complaint whatsoever regarding his conduct, integrity or work performance was ever communicated to him, nor was any disciplinary proceeding initiated against him. It is further submitted that the respondents themselves acknowledged the petitioner's engagement by issuing an E-Pehchan Card under the Employees' State Insurance Corporation on 13.04.2017 (Annexure P-8). Furthermore, an Office Certification issued by the respondents certifying the petitioner's active engagement for the period from 01.07.2022 to 27.01.2026 unequivocally establishes that the petitioner continued to discharge his duties under the respondents without interruption.

2.1 Learned counsel further submits that, to the utter shock and surprise of the petitioner, his services were abruptly and orally discontinued on 27.05.2026 by respondent No.5 without issuance of any written order, show cause notice or prior intimation. It is contended that neither any allegation of misconduct nor any adverse material existed against the petitioner warranting such drastic action. No departmental inquiry or

CWP-19742-2026

2026:PHHC:089667



disciplinary proceedings were ever initiated, nor was any opportunity of hearing afforded to the petitioner before dispensing with his services. The impugned action is, therefore, ex facie arbitrary, violative of the principles of natural justice and Article 14 of the Constitution of India.

2.2 It is further contended that the petitioner submitted a detailed representation dated 08.06.2026 (Annexure P-9) requesting reinstatement and seeking reasons for his abrupt disengagement; however, the respondents have failed to consider or decide the said representation till date, thereby compelling the petitioner to invoke the extraordinary writ jurisdiction of this Court.

2.3 Learned counsel for the petitioner at this stage submits that he would be satisfied if a direction is issued to respondent No.2 to decide the representation dated 08.06.2026 (Annexure P-9) by passing a speaking order in a time bound manner and in the light of judgment passed by Hon'ble Supreme Court in ***U.P. State Road Transport Corporation & Ors. v. Brijesh Kumar & Anr., 2024 INSC 638.***

3. Notice of motion.

4. Mr. Harish Nain, learned Deputy Advocate General, waives service of notice on behalf of the respondents-State and submits that he has no objection in case a direction is issued to respondent No.2 to hear and decide the representation dated 08.06.2026 (Annexure P-9) in a time bound manner.

CWP-19742-2026

2026:PHHC:089667



5. In view of the limited prayer made by counsel for the petitioner without commenting upon the merits of the case, the present petition is disposed of and respondent No.2/competent authority is directed to hear and decide the representation dated 08.06.2026 (Annexure P-9) filed by the petitioner in a time bound manner and pass a speaking order in the light of judgment passed in *Brijesh Kumar (supra)*, within a period of two months from the date of receipt of certified copy of this order.

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

7. Any deviation from or non-compliance of the directions issued by this Court shall entitle the petitioner to move an appropriate application under Article 215 of the Constitution of India for initiation of contempt proceedings against the erring officials in accordance with law.

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

(HARPREET SINGH BRAR)
JUDGE

03.07.2026

Puneet Chawla

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