



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

COCP-5911-2025

ARJUN SINGH & ORS ...Petitioners

Versus

CHANDER SHEKHAR & ORS ...Respondents

COCP-6111-2025

GURDEEP SINGH & ORS ...Petitioners

Versus

CHANDRA SHEKHAR & ORS ...Respondents

COCP-6116-2025

SAHIL & ORS ...Petitioners

Versus

CHANDRA SHEKHAR & ORS ...Respondents

COCP-6422-2025

PARVEEN SINGH & ANR ...Petitioners

Versus

CHANDRA SHEKHAR & ORS ...Respondents

COCP-5975-2025

ARUN & ORS ...Petitioners

Versus

CHANDRA SHEKHAR & ORS ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present:- Mr. Arjun Pratap Atma Ram, Advocate
for the petitioners
(in COCP-5911-2025 & COCP-5975-2025).

Mr. Arshdeep Bhullar, Advocate
for the petitioners
(in COCP-6111-2025 & COCP-6116-2025).

Mr. Shailendra Sharma, Advocate &
Mr. Rajesh Kumar Bhagat, Advocate
for the petitioners (in COCP-6422-2025).

Ms. Shubhreet Kaur Saron, Advocate
for respondent No.1 and 2.

Ms. Madhu Dayal, Addl. Standing Counsel,
UT Chandigarh and
Mr. Varun Sandhu, Jr. Panel Counsel, UT Chandigarh
for respondents No.3, 4 and 5 (in COCP-5911-2025).

Mr. Parminder Singh Kanwar, Addl. Standing Counsel
UT Chandigarh and
Mr. Ujval Mittal, Jr. Panel Counsel, UT Chandigarh
for respondents No.3 & 4 (in COCP-6116-2025)
for respondents No.3 to 5 (in COCP-5975-2025)

Mr. Satya Pal Jain, Addl. Solicitor General with
Mr. Pankaj Gupta, Senior Panel Counsel
for respondent No.6-UOI (in COCP-5911-2025)
for respondents No.5 & 6
(in COCP-6116-2025 & COCP-6111-2025)

Mr. Tanmoy Gupta, Addl. Standing Counsel,
UT Chandigarh and
Mr. Aniket Aggarwal, Panel Counsel
for respondents No.3 & 4 (in COCP-6111-2025).

Mr. Kanwal Goyal, Advocate
for respondents No.1 & 3 (in COCP-6422-2025).

Mr. Saigeeta Srivastava, Advocate
for respondent No.6-UOI
in COCP-5975-2025.

Mr. Pankaj Gupta, Sr. Panel Counsel
for respondent No.6-UOI in COCP-5911-2025.

VIKRAM AGGARWAL, J.(Oral)

CM-413-CII-2026 & CM-414-CII-2026

The present applications preferred under Section 151 of
the Code of Civil Procedure seek permission to place on record
certified copy of Annexure P-3.

Heard.

For the reasons mentioned in the applications, the same are allowed, subject to all just exceptions and the certified copy of Annexure P-3 is taken on record.

COCP-5911-2025 & connected matters

Short replies by way of affidavits of Amit, Kumar, Additional Secretary Home, Chandigarh Administration, filed on behalf of respondents No.3 to 5 in COCP-5975-2025, COCP-5911-2025, COCP-6116-2025 and COCP-6111-2025 are taken on record. Registry is directed to tag the same at an appropriate place.

2. The instant contempt petitions allege disobedience of directions issued by a Co-ordinate Bench vide judgment dated 23.01.2025 passed in a bunch of writ petitions, the lead writ petition being CWP-8912-2016, titled as **Kumar Pal and others Vs. Union of India and others:-**

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24. Keeping in view the facts and circumstances of the present case as well as settled principle of law, the competent authorities for the purpose of regularization in respect of the petitioners are directed to take appropriate decision qua the claim of the petitioners for regularization of their services in terms of the judgment in **Jaggo's case (supra)**. The said decision should be taken within a period of six months from the receipt of copy of this order by duly keeping in loop the Punjab and Haryana High Court being the supervisory authority of the Session Division where the petitioners are working as well as the respective competent authority in the State of Punjab and Haryana as the case may be. The decision so taken by the authorities qua the claim of the petitioners for regularization, be given effect to qua all keeping in view the date of their initial appointment and not their present status of working i.e. irrespective of the fact that they are working under the direct control of Session Division or through contractor. In case, there is an employee who might be working under the contractor after the termination of his/her services but another similarly situated employee is working directly under the Session Division keeping in view the interim order granted, they will be kept on the same footing while deciding the issue of

regularization and ultimately, while considering their claim for regularization of their services.

25. Qua the stand which has been taken by the Session Division that there are certain cadres for which outsourcing policy has been adopted and the interim order should be vacated and all those petitioners should also be employed through the outsourcing agency for the smooth functioning of the Session Division, it may be noticed that the prime contention of the petitioners is qua the regularization of their services under the judgment of the Hon'ble Supreme Court of India in **Jaggo's case (supra)**. The directions have already been given to the competent authorities to look into the said aspect and decide the issue in a time bound manner. Once, a direction is being given on the said aspect for consideration their claim for regularization of their services coupled with the fact that keeping in view the interim order already granted, some of the petitioners are working under the direct control of the Session Divisions, shifting them as of now to a contractor will create further anomaly therefore, in the interest of equity, the status quo qua the services of the petitioners be maintained till a final decision is taken qua the regularization of the services of the petitioners keeping in view the judgment of the Hon'ble Supreme Court of India in **Jaggo's case (supra)** by the competent authorities.

26. It may be noticed here that certain directions have been given by the Hon'ble Supreme Court of India qua regularization of employees while passing order in **Jaggo's case (supra)**, with respect to what benefit such employees are required to be given keeping in view the qualifications prescribed for the post and number of years of the service rendered by them while deciding the eligibility of the employee concerned for regularization and the same be kept in mind while deciding the issue with regard to the claim of the petitioners for the grant of regularization.

27. At this stage, learned counsel for the petitioners submits that some of the petitioners who are now working under the Sessions Division through the contractor, their grievance qua equal pay or equal work needs to be redressed for which, liberty be given to them to approach the appropriate competent authority by filing appropriate representation and the respondents be directed to decide the same in accordance with law in a time bound manner.

28. Learned counsel for the respondents submits that in case any representation/claim is received at the hands of the petitioners raising the said grievance, the same will be decided by the competent authority within a period of four months of the receipt of any such claim/representation and in case, after the decision any relief is to be extended to the petitioners, the same will be extended, otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioners for their information and necessary action.

3. Today, Mr. Satya Pal Jain, learned Addl. Solicitor General, Union of India, on instructions, submits that concurrence for

creation of 10 posts has been conveyed to the Chandigarh Administration vide communication dated 04.12.2025 which is on record (Annexure R-2) with the status report submitted by the Chandigarh Administration.

4. Insofar as the Chandigarh Administration is concerned, it has been submitted by learned counsel for the Administration, that policy dated 25.12.2025 stands framed by the Punjab & Haryana High Court, Chandigarh (Annexure P-3) and that the Chandigarh Administration has initiated the process. It has also been submitted that vide communication dated 09.01.2026, the Chandigarh Administration has submitted a proposal to the Government of India for creations of 168 posts for smooth functioning of the Courts in Sessions Division, Union Territory, Chandigarh in compliance with the directions issued in CWP-9430-2023.

5. This Court is sanguine that since the time period of six months laid down by the Single Bench has already elapsed, the Chandigarh Administration and the High Court shall make their best efforts to comply with the said directions and give effect to the policy framed by the Punjab and Haryana High Court, Chandigarh, most expeditiously, so that the rights of the petitioners are not prejudiced.

6. In the wake of the above, learned counsel for the petitioner submit that they do not press the contempt petition at this stage and shall, if so advised and if so required, move requisite petitions in case the needful is not done within a reasonable time.

7. That being so, the instant contempt petitions are disposed of as not having been pressed at this stage. However, in case, the

directions are not complied within a reasonable period (keeping in mind that the period of six months already stands elapsed), the petitioners would be at liberty to move appropriate application(s) for revival of the instant petitions.

A photocopy of this order be placed on the file of the connected cases.

(VIKRAM AGGARWAL)
JUDGE

14.01.2026
Himanshu

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