

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****110****CWP-19597-2026 (O&M)****Date of decision: 02.07.2026****Avtar Singh and another****...Petitioner(s)****Vs.****State of Haryana through its Commissioner & Secretary,
Department of Development and Panchayat, Haryana
and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA****Present:-** Mr. Vivek Sharma Vats, Advocate
for the petitioners.

Ms. Ruchi Sekhri, Addl. A.G., Haryana.

NIDHI GUPTA, J.

Present Civil Writ Petition under Article 226/227 of the Constitution of India has been filed by the petitioners for issuance of a Writ in the nature of Certiorari for quashing the impugned office order dated 31.03.2025 (Annexure P-6) passed by Respondent No. 4, vide which the petitioners were abruptly and arbitrarily relieved from service in a highly mechanical and unconstitutional manner; **AND/OR** for the issuance of a writ in the nature of Mandamus directing the respondents to allow the petitioners to continue on the post of Junior Engineer (Civil) in the respondent department as they have been appointed as per the Deployment of Contractual Persons Policy, 2022 dated 30.06.2022 (Annexure P-4), and in view of the complete satisfaction of their work,



they are entitled to continue against regular vacant posts, and are structurally covered under The Haryana Contractual Employees (Security of Service) Act, 2024 dated 06.12.2024 (Annexure P-5); especially in light of the common judgment dated 24.12.2025 (Annexure P-9) in **CWP No.7437 of 2025** titled as **Renu & others Versus State of Haryana & Others** and dated 30.01.2026 (Annexure P-10) in **CWP No.9827 of 2025** titled as **Sandeep Kumar and Others Versus State of Haryana and others** passed by this Court.

2. It is *inter alia* submitted by learned counsel for the petitioners that petitioner No.1 had joined service on 07.03.2023 (Annexure P-1); and petitioner No.2 had joined service on 09.03.2023 (Annexure P-2) to the post of Junior Engineer (Civil) Group C. The petitioners possess the requisite essential qualifications which is a degree/diploma in Civil Engineering. Thus, being fully eligible they were selected for appointment to the post of Junior Engineer (Civil) Group C by the Haryana Kaushal Rozgar Nigam Limited (hereinafter referred to as "HKRNL"), which issued formal deployment letters in favour of the petitioners.

3. Learned counsel submits that after being selected and appointed, petitioners have discharged their duties with utmost dedication and have continued in active service from their initial date of deployment without any break or complaint regarding their performance. However, despite the above said facts, petitioners stand relieved vide impugned order dated 31.03.2025 (Annexure P-6). It is



contended that the said impugned order is in direct contravention of the provisions of the Haryana Contractual Employees (Security of Service) Act, 2024 (hereinafter referred to as “Act, 2024”) (Annexure P-5). As per Section 4 of the said Act, it is mandated that eligible contractual employees deployed via HKRNL shall continue to work in their respective Government organizations until they attain age of superannuation. Impugned order is also in contravention of the Deployment of Contractual Persons Policy, 2022 dated 30.06.2022 (Annexure P-4). Thus, petitioners have been illegally relieved.

4. Learned counsel argues that the impugned act of the respondents is patently discriminatory and violates the core canons of service jurisprudence. The respondents have failed to follow the deeply embedded principle of “Last Come, First Go” and have illegally adopted policy of “Pick and Choose” while retaining other contractual Junior Engineers to the petitioners. It is accordingly prayed that the present Writ Petition be allowed; and the impugned order dated 31.03.2025 (Annexure P-6) be set aside.

5. *Per contra*, learned counsel for the respondent-State vehemently opposes submissions advanced on behalf of the petitioners and submits that the petitioners are not entitled to the protection under the Act, 2024 as they have not completed mandatory condition of service of 5 years. Moreover, regular appointments have been made to the post of Junior Engineer on 24.10.2024. As such, services of the



petitioners are no longer required. Thus, present Writ Petition deserves to be dismissed.

6. No other argument is raised by Id. counsel for the parties. I have heard learned counsel and perused the case file in great detail. I find merit in the submissions advanced on behalf of respondent-State.

7. Undisputedly, petitioners are contractual employees. By their own saying petitioners have joined service only on 07.03.2023 and 09.03.2023 respectively. It is undisputed that protection under the Act, 2024 is available only to the contractual employees who have rendered service of 5 years. Under Section 4 of the Act, 2024, eligible contractual employees are granted tenure security to continue working in their respective Government Organization until they attain the age of superannuation (retirement age). However, the said protection is available only to those employees who have completed at least 5 years of regular, full-time contractual service and meet the applicable remuneration criteria as of the appointed cutoff date. Clearly, the petitioners do not fulfil the said statutory conditions of 5 years' service; and therefore, are not entitled to security of tenure.

8. Moreover, a perusal of the impugned order dated 31.03.2025 (Annexure P-6) shows that petitioners have been relieved due to the *".....unavailability of the vacant posts for the employees engaged under HKRN"*. Learned counsel for the petitioners has not disputed submission of the Id. State counsel that regular appointments already stand made to the post held heretofore by the petitioners. Most importantly, learned



counsel for the petitioners is unable to dispute that petitioners cannot draw benefit of Act, 2024 as they have not rendered service of 5 years.

9. In view of the above facts, no infirmity can be found in the impugned order dated 31.03.2025 (Annexure P-6).

10. The present Civil Writ Petition accordingly stands **dismissed**.

11. Pending application(s) if any also stand(s) disposed of.

02.07.2026

Divyanshi

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No

(NIDHI GUPTA)
JUDGE