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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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LPA No. 10 of 2020 (O&M)
Date of Decision:26.05.2025

State of Haryana and others

....Appellants

Versus

Abhijeet Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Hitesh Pandit, Addl. AG, Haryana
for the appellants.

Mr. Keshwav Gupta, Advocate,
for the respondent.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The appeal assails the order passed by the learned Single Judge, challenging the order dated 16.09.2019 whereby the writ petitioner, who had been appointed as a Computer Programmer with the respondents/department on contract basis, in the year 2011, has been removed from service.

2. Learned Single Judge held that principle of 'last come first go' to be applied for the services of the contractual employees and reached to a finding that the persons junior to the writ petitioner namely Sanjay and Bhagwan had been appointed in December 2012 and they should be first



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relieved before relieving the writ petitioner/respondent, who was appointed in the year 2011.

3. Mr. Hitesh Pandit, learned Addl. AG, Haryana submits that the principle of 'last come first go' would not have any application as Sanjay and Bhagwan had been appointed in Gurugram in the office of the Commissioner as Computer Operators, while, the writ petitioner/respondent was appointed as a Computer Programmer at Ambala. After the services of the writ petitioner/respondent, no other person had been appointed at Ambala on contract basis.

4. Learned counsel appearing on behalf of the writ petitioner/respondent submits that so far as the posts of Computer Programmer is concerned, they are meant for all the places together and there are other persons, who were appointed on contract basis later in point of time and had been allowed to continue. He has relied upon a document received under Right to Information Act on 23.08.2018 to show that there were other persons, who were appointed as Computer Programmer at Ambala/Panchkula.

5. We are not impressed as Computer Programmer seems to be required at various districts and persons have been appointed on contract basis in different districts. So far as the writ petitioner/respondent is concerned, we would have no comparison with another Computer Programmer appointed in other districts or Commissionerate. Suffice to know that the writ petitioner had been appointed on contract basis as a Computer



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Programmer at Ambala and no other persons have been appointed in his place. In view thereto, principle of 'last come first go' would apply at Ambala and not for the entire State. The order dated 16.09.2019 passed by the learned Single Judge does not sustain and is accordingly set aside.

6. The appeal is accordingly allowed.
7. Pending application(s), if any, also stand(s) disposed of.

**(SANJEEV PRAKASH SHARMA)
JUDGE**

**(DEEPINDER SINGH NALWA)
JUDGE**

May 26, 2025
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Whether speaking : Yes/No
Whether reportable : Yes/No