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

**CM-7080-CWP-2025 in/and  
CWP-26760-2019 (O&M)  
Date of Decision: 19.05.2025**

BHAG SINGH AND OTHERS

. . . . Petitioners

**Vs.**

COMPTROLLER AND AUDITOR GENERAL OF INDIA AND OTHERS

. . . . Respondents

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**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA  
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

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Present: Mr. Jagdeep Jaswal, Advocate  
for the petitioners.

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**SANJEEV PRAKASH SHARMA, J.(Oral)**

1. Matter comes up on application filed by the petitioners for disposal of the main case. For the reasons stated, the main case is preponed and taken up today itself.
2. This is a petition preferred by the petitioners claiming regularization after their services had been dispensed with from the year 2017. The Central Administrative Tribunal has rejected their claim. It is asserted that the petitioners are working for more than 10 years with the respondents, and their services were dispensed with without following due procedure of law.
3. We are of firm view that in such circumstances, the petitioners being workmen within the definition of Section 2(s) of the Industrial Disputes Act, 1947 (for short 'the Act'), were required to take up their cause before the concerned Labour Court/Industrial Court, as the case may be. A joint writ petition or original application before the Central Administrative



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Tribunal was not maintainable. The question regarding regularization can only arise when a person is in service, and not after the services have been dispensed with.

4. We also notice that some of the petitioners have been again taken back in service, though by outsourcing method. All these aspects need to be examined by the concerned Labour Court/Industrial Court, and the judgment cited before us, namely *Jaggo vs. Union of India and others, 2024 INSC 1034*, can always be examined to the facts of the case by the concerned Labour Court/Industrial Court.
5. If the writ petitioners challenge their termination, question of limitation shall not be gone into, and the Labour Court/Industrial Court shall examine their grievances in terms of Section 10A of the Act, by taking up the dispute directly. If such an application is filed by the petitioners within period of one month, the Labour Court/Industrial Court shall attempt to decide the same expeditiously, preferably within a period of one month from today. It is made clear that the dismissal of appeal by the Central Administrative Tribunal shall not come in their way.
6. With the aforesaid observations, writ petition stands *disposed of*.
7. All pending applications also stand disposed of accordingly.

**(SANJEEV PRAKASH SHARMA)**  
**JUDGE**

**(MEENAKSHI I. MEHTA)**  
**JUDGE**

**19.05.2025**

*Mohit goyal*

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

*Yes/No*  
*Yes/No*