

Court No. - 8

Case :- WRIT - A No. - 55 of 2012

Petitioner :- Raj Kumar Yadav And Another

Respondent :- State Of U.P. Through Prin. Secy. Medical And Health Lko. And
Or

Counsel for Petitioner :- Pt. S.Chandra

Counsel for Respondent :- C.S.C.,A.R.Khan,Abdul Razzaq Khan

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel appearing for the petitioners and Sri Sandeep Sharma, learned Standing Counsel appearing for the State.
2. Present petition under Article 226 of the Constitution of India has been filed seeking quashing of the order dated 18.10.2011 passed by the Chief Medical Superintendent of the District Gonda.
3. Vide order dated 06.07.2023, this Court directed the learned Standing Counsel to produce the original record in respect of M/S Sanya Construction Company, an outsourcing Agency, through which the petitioners were allegedly employed and details of workmen employed through M/S Sanya Construction Company.
4. Mohd Azam, Acting C.M.S., Gonda who is present in the Court, has produced original record.
5. The Court has perused the original record. It appears that the petitioners were employed after March, 2011 through the said outsourcing Agency and were paid wages by the said Agency, out of remuneration paid from the office of C.M.O.
6. In the record of the writ petition, there is nothing to show that the petitioners were paid any wage by the office of C.M.O. after March, 2011. The petitioners had not worked after July, 2011, nor any wage was paid to them.
7. After some arguments, Sri Pt S.Chandra, learned counsel appearing for the petitioners submits that the petitioners would be satisfied, if some directions be issued to C.M.O. to see that they are employed through a new outsourcing Agency which is Mechanized Cleaning & Gardening Service Provider M/s A.N. Kapur (Janitors) Pvt. Ltd.
8. Sri Sandeep Sharma, learned Standing Counsel on instructions submits that the respondents would not have much objection to the aforesaid

contention.

9. The petitioners had rendered service since 2008 till July 2011. In view thereof, present writ petition is **disposed of** with a direction to the C.M.O. Gonda to see that the petitioners get employment in medical colleges or hospitals in district, as the case may be, through outsourcing agency namely, Mechanized Cleaning & Gardening Service Provider M/s A.N. Kapur (Janitors) Pvt. Ltd within a period of one month and pay admissible wages from date of their joining.

(Dinesh Kumar Singh, J.)

Order Date :- 12.7.2023
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