

Court No. - 20

Case :- WRIT - A No. - 9150 of 2023

Petitioner :- Vaibhav Srivastava And 4 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Medical And Health Services Lko. And 4 Others

Counsel for Petitioner :- Manish Nigam

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

Heard learned counsel for petitioners and learned State Counsel for opposite parties.

Petition has been filed challenging order dated 13th October, 2023 passed by Chief Medical Superintendent, District Combined Hospital, Balrampur whereby petitioner's services have been dispensed with.

Mr. Neeraj Chaurasia learned State Counsel appearing on behalf of opposite parties has raised a preliminary objection regarding maintainability of this petition on the ground that even as per record and impugned order, petitioners are employees of a private agency with which the hospital had a contract for providing petitioners as outsourced and their services were found to be surplus in view of the fact that burnt unit which was earlier functioning and in which petitioners were posted has been shut down. It is therefore submitted that petitioners continued to be employees of the private organization and were never in the employment of the hospital itself.

In view of submissions advanced by learned counsel for opposite party, learned counsel for petitioner on the basis of instructions seeks to withdraw the petition to approach the appropriate forum.

Considering aforesaid facts, the petition is dismissed as withdrawn with aforesaid liberty.

Order Date :- 29.11.2023

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