

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.18015 of 2015

Date of decision: 28.8.2015

Harbans Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Rakesh Nagpal, Advocate for the petitioner.

G.S.SANDHAWALIA, J, (Oral)

Challenge in the present writ petition is to the order dated 7.8.2015 (Annexure P/8) whereby the petitioner who was working as Para Medical Worker has been put to notice that his services will come to an end on 15.9.2015.

The reason given is that the maximum age of the staff is 62 years and he had reached the said age.

Counsel for the petitioner has vehemently submitted that the petitioner's contract was renewed from 1.4.2015 to 31.3.2016 and therefore, his contract has been cut short.

Admittedly, the petitioner was appointed on contract basis initially on 22.3.2012 (Annexure P/1). As per Clause (1) of the contract, the same could be terminated at any time without assigning any reason within 30 days notice on either side. Relevant Clause reads as under:-

“1. The contract can be terminated at any time without assigning any reason within 30 days notice on either side.”

The said contract was renewed from time to time subsequently including one dated 1.4.2015 on the basis of which the petitioner claims his right. Vide impugned notice dated 7.8.2015 (Annexure P/8) the petitioner has been given mandatory 30 days' notice while shutting down the contract interse the parties. The argument that his vested right has been taken away is without any basis. It is not the case of the petitioner that he is being denied salary for the period he worked. The parties were at terms on a contract interse and valid reasons have been given for putting an end to the same.

In such circumstances, there is no scope of interference with

the impugned order in exercise of jurisdiction under Article 226 of the Constitution.

Accordingly, the present writ petition is dismissed.

August 28, 2015
Pka

(G.S.SANDHAWALIA)
Judge