

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 11751 of 2016(O&M)

Date of Decision: 08.07.2016.

Hardeep Kaur

--Petitioner

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sudhir Nar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant writ petition has been filed seeking a prayer for the petitioner to be permitted to work on the post of Junior Librarian at the District Library, Kaithal.

Counsel would contend that the petitioner was engaged against a sanctioned post on 12.1.2015 and without any opportunity/notice her services have been dispensed with w.e.f. 5.1.2016. It has further been argued that even though the petitioner has discharged duties till 5.1.2016 but she has been released the salary only up to October, 2015 and that too against a lower post i.e. of a Restorer.

Having heard learned counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that no ground for interference is made out.

During the course of hearing counsel was put a specific query with regard to the procedure and mode of appointment resorted to and which had led to the engagement of the petitioner on the post of Junior Librarian. In response it has been conceded that no advertisement had been issued and as such, a regular/transparent process of selection had not been

resorted to and no opportunity had been granted to all the eligible candidates to apply for the post in question. In other words the engagement of the petitioner on the post of Junior Librarian was not in consonance with the requirement of principles of fair play and equity as mandated under Articles 14 & 16 of the Constitution of India. Counsel further concedes that the petitioner had in fact been engaged through an outsourcing agency namely M/s Group 4 Enterprises.

Under such circumstances, the prayer raised in the present petition and directed against the State authorities cannot be entertained. The grievance of the petitioner, if, any would be against the outsourcing agency i.e. M/s Group 4 Enterprises through which such an engagement had been facilitated.

Counsel has not been able to establish any rights that could possibly flow in law in favour of the petitioner on the basis of such engagement on the post of Junior Librarian and at the hands of an outsourcing agency.

No ground for interference is made out.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

08 July, 2016.

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