

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

CWP No.16129 of 2016 (O&M)

Date of decision:10.08.2016

Vikash Mehra

... Petitioner

Vs.

State of Haryana & others

... Respondents

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

Present: Mr. Diwan S. Adlakha, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The petitioner who was engaged as a Data Entry Operator on contractual basis with the Haryana Backward Classes and Economically Weaker Sections Kalyan Nigam has filed the instant writ petition raising a two fold prayer. A writ of mandamus is sought to direct the respondents not to replace the petitioner by another adhoc/contractual appointee. Prayer is also for issuance of writ of prohibition as against termination of the services of the petitioner.

During the course of hearing, counsel was called upon to advert to any material/document where from this Court could infer that the petitioner is sought to be replaced by another contractual engagement. No such document or pleadings have been adverted to. Counsel would respond by stating that the petitioner entertains an apprehension that he would be replaced in due course. It has been conceded that till date no public notice/advertisement has been issued by the respondent/Nigam inviting applications for engaging Data Entry Operators on contractual basis.

Under such circumstances, the prayer raised in the present petition cannot be entertained at this stage.

Petition is, accordingly, dismissed.

Suffice it to observe that it would always be open for the petitioner to seek redress in case the respondent/Nigam takes any concrete steps to resort to a methodology of replacing one set of contractual employees by a similar arrangement.

10.08.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether reasoned/speaking? | Yes |
| ii) | Whether reportable? | No |