

**Sr. No.111
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.16689 of 2016 (O&M)
Date of Decision: 26.08.2016**

Mahinder Pal

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present:- Mr. Gopal Sharma, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.

Pleadings on record would indicate that the petitioner was appointed on a Class-IV post (Sewadar) in the office of the Assistant Registrar, Cooperative Societies, Jhajjar on contractual basis and at DC rates in May 2014. Apparently, petitioner continued to serve on such post on a purely contractual basis.

Present petition has been filed being aggrieved of an order dated 04.08.2016 in terms of which he has been relieved from the Class-IV post.

Learned counsel appearing for the petitioner would refer to a memo dated 04.05.2016 at Annexure P-2 issued by the Assistant Registrar, Cooperative Societies, Jhajjar to submit that an extension had been granted to the petitioner up to 31.08.2016 and as such the petitioner was vested with a right to continue till the expiry of such extension period and the action of the respondent authorities in dispensing with his services midway is arbitrary and totally uncalled for.

Having heard counsel for the petitioner at length, I am of the considered view that no intervention in the matter is called for.

Engagement of the petitioner was purely contractual and on DC rates. Such engagement was not in pursuance to any regular recruitment process. There would be no inherent and vested right with the petitioner to seek a writ of mandamus for directions to the respondents to continue on such post. It is not the case of the petitioner that the respondent authorities have adopted any methodology whereby one contractual appointee is being replaced by another similar arrangement.

Perusal of the impugned order dispensing with the services of the petitioner makes a reference to yet another letter dated 04.08.2016 and which has also been placed on record and appended as Annexure P-4. The document at Annexure P-4 discloses the basis of dispensing with the services of the petitioner. Budgetary constraints have been cited. Such basis would be construed as valid and cogent for passing of the impugned order at Annexure P-3.

Writ petition is without merit and consequently is dismissed.

26.08.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No