

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.340 of 2017**

1. Krishna Goyal S/o Late Dhomu, aged about 33 years, R/o Village Chhote Devra, P.S. Kotwali, Jagdalpur, District Bastar (CG)
2. Kamlochan Baghel S/o Paklu Baghel, aged 21 years, R/o Village Chhote Devra, P.S. Kotwali, Jagdalpur, District Bastar (CG)

---- Petitioners**Versus**

1. State of Chhattisgarh, through Secretary, Health and Family Welfare Department, Mantralaya, Mahanadi Bhawan, P.S. Rakhi, Tahsil Arang, Naya Raipur, District Raipur (CG)
2. Director, Medical Education, Old Nurses Hostel, DKS Building Premises, Raipur (CG)
3. Joint Director-cum-Superintendent, Maharani Hospital, Jagdalpur (CG)
4. Chief Executive Officer, Chhattisgarh State Skill Development Authority, State Project, Livelihood College Society, Raipur (CG)

---- Respondents

For Petitioners	:	Mr.C.J.K.Rao, Advocate
For Respondents No.1 to 3	:	Mr.Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Manindra Mohan Shrivastava, J.**Order on Board****20/1/2017**

1. Heard.
2. The petitioners, who are working as employees of contractor who has given contract of maintaining security services at Medical College, Jagdalpur, have filed this writ petition assailing the correctness and

validity of policy of the Health Department to deploy the home guards for providing security to those public institutions.

3. Learned counsel appearing for the petitioner submits that the petitioners have been engaged by the contractor in the government hospital to work as security guard. The contract has been given to provide security services in the hospital. The petitioners have been given training under Mukhyamantri Kaushal Vikas Yojna to work as security guard. If in the hospitals the home guards are deployed, the petitioners may no longer be required by their contractor and their services may be dispensed of, which is contrary to the provisions of the Chhattisgarh Home Guards Act, 1947.
4. The petitioners are neither daily wages employees nor they are government employees. They are employees of contractor and have no privity of contract with the government. What arrangement should be made to provide security guards in the hospitals and Medical Colleges of the Government is the matter to be considered by the government authorities.
5. The petitioners who are not the employees of any government services, but merely employees of the contractor, do not have locus to challenge the government scheme.
6. Accordingly, the writ petition is dismissed on the ground stated hereinabove. No order as to cost(s).

Sd/-

(Manindra Mohan Shrivastava)
Judge

B/-