

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

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Date of decision: 03.10.2017

1. C.W.P No. 24044 of 2014

Ravi & Ors.

...Petitioners

Vs.

State of Haryana & Anr.

...Respondents

2. C.W.P No. 23965 of 2014

Suman Chaudhary & Ors.

...Petitioners

Vs.

State of Haryana & Anr.

...Respondents

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

Present: Mr. R.K. Malik, Sr. Advocate, with
Mr. Bhupinder Malki, Advocate, for the petitioners.

Ms. Shruti Jain Goyal, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral).

This order will dispose of above-mentioned two writ petitions.

The facts are being taken from C.W.P No. 24044 of 2014.

The petitioners seek directions that they be allowed to continue in service since they were appointed on contract basis on consolidated pay. A copy of the appointment order of petitioner No.1 dated 20.11.2013 (Annexure P/1) as Clerk-cum-Data Entry Operator has been placed on record. A perusal of the same would show that the appointment was till 16.11.2014.

This Court had been approached in November 2014, when they were apprehending dis-engagement. The stand of the respondents is also that the appointments are as per as per clauses 5 and 7 of the contract and in defence also it stated that the extension was granted till 31.03.2016.

Senior counsel has pointed out that extension has been granted up to 16.11.2017 for three years, by referring to the noting on behalf of the Principal Secretary to Government of Haryana, Finance Department.

Resultantly, keeping in view the fact that petitioners grievance has been redressed as their apprehension that they were being dis-engaged no longer exists.

Accordingly, these petitions are disposed of as per the terms and conditions of the contract inter se the parties subject to the availability of the work and the requirement of the petitioners by the respondents. It will also open to the respondents to dispense with service of the petitioners in case their work is not found satisfactory, as per clause 7. However, the petitioners will not be replaced by a similar set of contractual employees, keeping in view the observations of the Apex Court in **Hargurpartap Singh Vs. State of Punjab & Ors., 2007(3) SCC 292.**

The writ petitions are disposed of with the above said observations.

October 03, 2017
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(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No