

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

CWP No.21937 of 2017 (O&M)

Date of Decision: 26.09.2017

Gursewak Singh and others

....Petitioners

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Amardeep Singh Mann, Advocate
for the petitioners.

TEJINDER SINGH DHINDSA, J. (Oral)

The pleaded case of the petitioners is that they were engaged as Security Guards/Gunmen in the month of January 2017 by the Punjab Ex-Services Corporation, purely on contractual basis. The letter of engagement in the case of petitioner No.1- Gursewak Singh is appended at Annexure P-1. Counsel submits that identically worded engagement letters, were issued in favour of petitioners No.2 & 3 as well.

Prayer in the instant petition is for the issuance of writ of mandamus for directing the respondents herein to reinstate and appoint the petitioners on the post of unskilled workers on contractual basis.

Having heard counsel for the petitioners at length, this Court is of the considered view that the prayer made in the instant

petition is not well founded.

Petitioners have impleaded in the array of respondents-
The Punjab State Power Corporation Limited and the various
officials /functionaries under such corporation.

There is no document/material placed on record
wherefrom, this court may infer that the petitioners were under
employment of the respondent-corporation. Rather P-1 as also
pleadings and averments made in the petition, indicate that the
petitioners have been engaged as Security Guards/Gunmen by a
private out sourcing agency and in which, State of Punjab has no
financial stake or administrative control.

There would be an issue as regards maintainability of
the writ petition itself.

Faced with such a situation, counsel prays for
withdrawal of the petition with liberty for the petitioners to avail of
remedies in accordance with law.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

26.09.2017
anju rani

***Whether speaking/reasoned* : Yes**
***Whether reportable* : No**