

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

**CWP No. 3213 of 2015
Date of Decision: 09.08.2017**

Naresh Chander Nautiyal

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gaurav Sethi, Advocate,
for the petitioner.

Mr. R.K. Doon, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 14.07.2017, the file noting pertaining to removal of Ground Managers appointed in the Rajiv Gandhi 'Gramin Khel centres' has been produced in Court today, showing that approval for removing them in those complexes where Junior Coaches had been appointed, had been approved by the Director General Sports on 31.10.2014, after which, as per learned State counsel, the signature dated 05.11.2014 is that of the Additional Chief Secretary to the Government of Haryana, Department of Sports.

A perusal of the appointment letter of the petitioner, Annexure P-2, shows that he was appointed on 11.05.2012 under the outsourcing policy of the Government, on a salary of Rs. 10,000/- per month, for a period of one year, with a stipulation that his services can be terminated without any notice, and that it was only on contractual basis, with no right of regular appointment.

Learned counsel for the petitioner submits that the petitioner having

worked for more than two years despite the contract being only for one year, he being now removed after he has also become overage for regular appointment, is not a fair practice by the Government.

Whereas the petitioners' situation can obviously be understood, however, he having been appointed in the year 2012, again when he was very obviously near the upper age limit for being appointed on a 'regular' basis, and he having accepted that appointment with open eyes, the action of the Government in removing contractual employees upon appointment of regularly appointed employees, cannot be faulted.

Consequently, finding no merit in this petition, it is dismissed.

However, if on any future date, the Government feels the need to appoint Ground Managers/Junior Coaches or to fill up similar kind of posts on contractual basis, the petitioner and others similarly situated like him would be given preference in such appointment, considering that they have already got about two years work experience on such a job.

August 09, 2017
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes