

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

CWP No.7363 of 2014

Date of Decision:27.03.2017

Anshuman Dahiya and another

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Sunil Kumar Bhardwaj, Advocate for the petitioners.

Mr. Sushil Gautam, D.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

In the instant petition, the petitioners have sought for oral termination of contract executed between the petitioner and the Chairman Executive Committee SPK-CUM Mission Director NRHM, Haryana, Sector-2, Panchkula on 17.06.2013 (Annexure P-1).

Perusal of Annexure P-1 dated 17.6.2013 i.e. offer of appointment for the post of consultant and management on contract basis till 31.3.2014. Therefore, rightly the Chairman Executive Committee SPK-CUM Mission Director NRHM has orally informed the petitioner that the contract has ended its period in terms of order of appointment for the post of consultant and management on contract basis on 17.6.2013.

Learned counsel for the petitioners vehemently contended that as per Annexure P-3 in respect of continuation of contract, there is general direction by the Mission Director, NRHM for continuation of existing activity as per FY 2013-14 approvals dated 3.3.2014 under which the petitioner is entitled for extension beyond 31.3.2014 to the post of consultant and management on contract basis in terms of the order of appointment dated 17.6.2013. Further it was submitted that the respondents

have discriminated in continuation to the post of consultant and management on contract basis. In this regard, the petitioners cited name of one of the contract employee namely Anil Kumar Sharma who is continued for the period 2014-2015. Hence, oral termination of contract on 31.3.2014 by the official respondents is illegal and arbitrary.

Heard learned counsel for the petitioners.

The appointment of the petitioners to the post of consultant and management on contract basis is for a specific period namely from 17.06.2013 to 31.3.2014. Whenever an agreement of contract is executed between two parties, both the parties are bound by such agreement. In the present case petitioner was appointed on 17.6.2013 to the post of consultant and management on contract basis till 31.3.2014. Thus, the petitioner cannot seek continuation beyond 31.3.2014. Reliance upon Annexure P-3 dated 3.3.2014 and the fact that one Anil Kumar Sharma who has been given the benefit of extension that does not give right to the petitioner for the reasons that Annexure P-1 order of appointment stipulates that it will be in vogue till 31.3.2014. Hence, the petitioner has not made out a case so as to interfere in the matter.

Petition stands dismissed.

27.03.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No