

Sr. No.117

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

**CWP No.27531 of 2017 (O&M)
Date of Decision:04.12.2017**

Pargat Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Harnek Singh, Advocate,
for the petitioners.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioners who are three in number are stated to be working as Fire Drivers under Municipal Corporation, Bathinda. The pleaded case is that they are working on DC rates.

The instant writ petition has been filed seeking a writ of mandamus for directing respondent authorities not to terminate their services.

Counsel argues that the petitioners fulfill the requisite qualifications for the post of Drivers and as such are vested with the right to continue till such time regular appointments are not made.

Having heard counsel for the petitioners at length and having perused the pleadings on record, this Court is of the considered view that no interference is called for at this stage.

Instant petition is founded on an apprehension that

services of the petitioners would be terminated. Counsel has not adverted to any document/material wherefrom it may be inferred that the petitioners are sought to be replaced by another similar contractual/ad hoc arrangement. The document referred to Annexure P-3 issued by the Executive Officer, Municipal Council, Abohar and addressed to the Director, Local Government Department, Chandigarh only refers to the services of certain drivers already in the service of the Council/Corporation concerned to be made available till such time a process of regular recruitment is not finalized.

No such cause of action has arisen to the petitioners as of date to invoke the extra ordinary writ jurisdiction of this Court. Petition is, accordingly, disposed of.

Suffice it to observe that it would be open for the petitioners to approach this Court afresh in the eventuality of the respondent authorities issuing any public notice/advertisement to engage Fire Drivers on a contractual/ ad hoc/ part time basis and even on DC rates and thereby demonstrating that one contractual employee is being replaced by another similar arrangement.

Disposed of.

04.12.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No