

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

CWP No. 7123 of 2017

Date of decision: 18.05.2017

Ram Niwas and others

... Petitioners

versus

State of Haryana and others

.... Respondents

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

Present: Mr. Lalit Rishi, Advocate for the petitioners.
Mr. Sushil Gautam, DAG Haryana.
Mr. Abhilaksh Grover, Advocate
for respondent Nos. 2 & 3

P.B. BAJANTHRI, J. (ORAL)

The petitioners are appointed on contract basis for various posts like fire operator, fireman and driver. These posts are governed by the rules called Haryana Fire (Group 'C') Service Rules, 2016 (in short 'Rules 2016') whereas respondents are resorting to fill up the posts through outsourcing on contract basis which is contrary to the Rules 2016.

Therefore, concerned respondents are hereby directed to fill up each and every post mentioned in the Rules 2016 on regular basis through advertising the posts. This exercise shall be completed by the concerned respondent within six months from today till then the respondents shall not be displaced.

Learned counsel for the petitioner at this stage submitted that if official respondents resort for regular recruitment in accordance with Rules 2016, petitioners are not eligible with reference to the

qualification prescribed, therefore, his contention is that, as per the old rules the advertisements are required to be made. Whereas official respondents have also notified Rules 2016, they are bound by it, therefore, they have to adopt Rules 2016 for the purpose of filling up the vacancies/posts which are in the Fire Service Department. Thus, petitioners' contention is hereby rejected.

The instant petition is disposed of accordingly.

(P.B. BAJANTHRI)
JUDGE

18.05.2017

kv

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No