

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.120

CWP-14012-2018

Date of decision : 30.05.2018

Vishwas Sharma

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Sharmila Sharma, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is employed as a Lab Attendant with respondent No.3 on contract basis. He is not being permitted to mark his attendance w.e.f. 18.05.2018. Learned counsel for the petitioner submits that this is in violation of memo dated 17.05.2018 (Annexure P5), whereby the Principals of all Government Colleges had been directed not to relieve employees appointed on contract basis and also to pay them salary for the period of vacations. It is, further submitted that the issue is no longer res-integra and is covered by judgment dated 05.05.2016 (Annexure P6) passed in 'CWP-16954-2015' titled as 'Anurag Chahal and others Vs. State of Haryana and another'.

Notice of motion.

Mr. Gaurav Jindal, Addl. AG, Haryana, accepts notice on behalf of the State of Haryana. Let four copies of the petition be supplied to him during the course of the day.

In view of the nature of the order being passed, there is no necessity to seek written statement.

The writ petition is disposed of with direction to respondent No.3 to comply with judgment dated 05.05.2016 (Annexure P6) passed in 'CWP-16954-2015' titled as 'Anurag Chahal and others Vs. State of Haryana and another' as well as circular dated 17.05.2018 (Annexure P5) and ensure

that there is no violation thereof. In case the services of the petitioner have been terminated, he shall be reinstated/given fresh contractual appointment alongwith the benefit of leave during vacation period. However, this direction will not apply in case he is sought to be replaced by a regular employee.

(SUDHIR MITTAL)
JUDGE

30.05.2018
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No