

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

**CWP-23206-2016 (O&M)**

**Date of Decision:-06.12.2018**

Raj Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

Present:- Mr. Amit Jain, Advocate for the petitioners.

Mr. Harish Rathee, Senior DAG, Haryana with  
Mr. Gaurav Jindal, Addl. A.G. Haryana.

Mr. Sajjan Singh, Advocate for respondent No.8.

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**RITU BAHRI, J.**(Oral)

The petitioners seek issuance of directions to the respondents not to replace them with another set of contractual workers, who are working as Sweepers (Safai Karamchari) in Municipal Committee, Ferozepur, Jhirka since 2011 and they have continued to work till August 2016.

Counsel for the petitioners has referred to the order passed by this Court whereby on account of issuance of advertisement, the petitioners had approached this Court by filing CWP No.6450 of 2014, which was dismissed vide order dated 25.4.2014 (Annexure P-5) as the said advertisement was withdrawn and now the petitioners have not been allowed to work after issuance of fresh advertisement in the year 2016 and they have been removed in August, 2016.

On notice of this petition, reply has been filed by respondents No.6 and 7, Municipal Committee, Ferozepur Jhirka, District Mewat, stating

that the petitioners were continued through a contractor at Municipal Committee, Ferozepur Jhirka, District Mewat as Sweepers (Safai Karamchari). After expiry of the said contract, new work was allotted through competitive bidding on 2.8.2016 and as per Annexure R-1, the contract has been given on 9.8.2016 to Baba Bandev Enterprises, Plot No.233, Sector-2, IMT Bawal, District Rewari by the Municipal Committee, Ferozepur, Jhirka and he is responsible for payment of wages to the petitioners.

In paragraph No.3 of the preliminary objections, it is stated that petitioner No.3 namely Arjun is son of Ranjit Singh respondent No.9, who was the earlier contractor, and hence, it is in collusion with respondent No.9 that he has filed this petition.

Counsel for respondent No.8 has put in appearance and states that he is the contractor now, engaging Sweepers in the Municipal Committee.

This petition is being disposed of with a direction to respondent No.8 to adjust the petitioners keeping in view that they are working since 2011 as Sweepers (Safai Karmachari) with the Municipal Committee, Ferozepur, Jhirka and not to replace them except by way of regular appointment or if their working conduct is not good.

**06.12.2018**

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**(RITU BAHRI)**  
**JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No