

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

CWP No.403 of 2018
Date of decision: 11.01.2018

Sanjay and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. B.S. Tewatia, Advocate
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners are working as Safai Sewaks/Sweepers in the Municipal Committee, Palwal, under a contractor. The Additional Chief Secretary, Haryana, had issued instructions dated 23.7.2014 (Annexur P-1), vide which the Municipal Councils/Municipal Committees were required to hire services of Sweepers working under the contractors by way of direct appointment on contract basis w.e.f 1.7.2014. And, wages to such employees were to be paid out of sources of Municipal Councils/Municipal Committees. Resultantly, the petitioners were engaged by the Municipal Committee, Palwal, after they were medically examined and they even received one month salary. However, thereafter they were sent back to the private contractors and resultantly, they continued to work as such. The Commissioner of Municipal Committee, Palwal (respondent No.3), vide letter dated 16.2.2015, issued to the Executive Officer, Municipal Council,

CWP No.403 of 2018

Palwal, specifically instructed to make appointments against the newly created posts of Sweeper on contract basis, in terms of the guidelines dated 23.7.2014 (Annexure P-1), issued by the Additional Chief Secretary. A similar letter dated 12.7.2017 (Annexure P-3) is alleged to have been issued by the Director, Urban Local Bodies Haryana, (respondent No.2), but yet the Municipal Committee has not resorted to necessary measures to bring the employees under the contractors on the rolls of the Committee. Even the legal notice dated 16.10.2017 (Annexure P-4) the respondents have been served with, has failed to evoke any response.

That being so, the petition is disposed of, at this stage, only with a direction to the respondents to consider and decide the legal notice dated 16.10.2017 (Annexure P-4) they have been served with, within a period of three months from the date of receipt of certified copy of this order. And pass an appropriate order, in accordance with law.

(Arun Palli)
Judge

11.01.2018
AK Sharma

Whether speaking / reasoned: YES

Whether Reportable: NO