

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

**CWP No. 9218 of 2018**

**Date of Decision: 19.04.2018**

Tej Pal

...Petitioner

Vs.

State of Haryana and others

...Respondents

**CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA**

Present: Mr. B.S. Dhillon, Advocate,  
for the petitioner.

**RAJIV NARAIN RAINA, J. (Oral)**

The petitioner claims that his services were terminated orally. He admits that he was appointed as a part-time *chowkidar* in oral arrangement in the year 2014 and by August 2017, he has been relieved. Aggrieved by the retrenchment, the petitioner moved three representations till 31.08.2017 followed by a legal notice dated 24.03.2018. In the meantime, he made a complaint on 08.02.2018 to the CM window. The complaint has been enquired into and the report is Annex. P-1. The legal notice has been replied in the negative by the Senior Medical Officer Annex. R-4. Reply cannot be treated as an order which is final since it is only a view of the officer of the Department but not the Department/State itself.

Accordingly, the competent authority would ignore the reply to the legal notice and take an independent action on the legal notice of the petitioner by passing a speaking order. The decision be taken in the light of the policy of the Government dated 06.04.2015 for

outsourcing of services on the submission that the post of the *chowkidar* was sanctioned as per Annex. P-9 Table 4.4. Let the decision be taken within two months from the date of receipt of certified copy of the order. The speaking order be communicated to the petitioner.

With these observations and directions, petition stands disposed of.

19.04.2018  
kv

(RAJIV NARAIN RAINA)  
JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |