

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

CWP No.12219 of 2019
Date of decision : 21.05.2019

Virender

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Baljeet Beniwal, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Ritu Bahri, J. (oral)

Petitioner is seeking direction to the respondents to reinstate him on the post of Computer Operator-cum-Clerk on contractual basis till regular appointments are made.

Short reply on behalf of the respondents by way of affidavit of Executive Engineer, Construction Division, PWD (B&R), Gurugram, has been filed in Court. Same is taken on record. Along with the reply sanctioned strength of the posts of Computer Operator-cum-Clerk has been attached as Annexure A-1. As per reply filed, no post of Computer Operator-cum-Clerk is lying vacant as on date. Petitioner has been appointed through contractual agency as Data Entry Operator. In fact, different contractual agencies were hired for supplying 'Data Entry Operators' depending upon workload of the Division/Sub Divisions from time to time. It has been further stated that the petitioner was not an employee of the State Government of Haryana. Since different contractual

agencies were hired for supplying 'Data Entry Operators' from time to time,

there is no direct relationship between the department and the petitioner.

Therefore, he cannot take benefit of the contractual employee.

Keeping in view the aforesaid reply, no direction can be issued to the respondent-department to re-engage the petitioner as Data Entry Operator.

No merits. Dismissed.

21.05.2019
ajp

(RITU BAHRI)
JUDGE

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