

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

**Civil Writ Petition No.20141 of 2017 (O&M)
Decided on : 31.05.2019**

Sunil Kumar and others

... Petitioner

Versus

State of Haryana and others

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. U.K. Agnihotri, Advocate
for the petitioners.

Mr. Pritam Singh Saini, Addl. AG, Haryana.

G.S. Sandhawal, J. (Oral)

The present writ petition under Article 226/227 of the Constitution of India has been filed for directing the respondents not to dispense with/terminating the service of the petitioners, who are working as Peons in the office of respondent No.3, on contract basis under out sourcing policy.

While issuing notice of motion on 06.09.2017, the following contentions were noted:-

“*Inter alia* submits that the petitioners were appointed on contract basis in January, 2015, which was extended from time to time. The last extension was on 18.08.2016 for a period of one year (Annexure P-7). Respondent No.3 has written for extension but respondents No.1 & 2 are not acting upon the same and kept the matter pending. It is, accordingly, submitted that there is work available, as such and neither any regular recruitment has been done.”

Thereafter, on 19.09.2017, the respondents were directed to

Civil Writ Petition No.20141 of 2017 (O&M)

continue the contracts of the petitioner till further orders, since they were not allowed to join duties due to filing of the writ petition, but reply was not being filed.

A detailed reply has now been filed that in view of the consolidated requisition for Group-D Post, the recommendations were sent after completing the recruitment process by the Haryana Staff Selection Commission on 21.01.2019 and 8 regular candidates have joined their duties as Peons in the Head Office and there were no more posts which are lying vacant to adjust the petitioners.

Mr. Saini, has submitted that the wages also pertaining to the period from 04.08.2017 to 04.12.2017 and from 24.01.2019 till April, 2019 have been paid to the petitioners. The Court has been assured that the payment for the month of May, 2019 shall also be made within a period of 2 weeks from today.

Keeping in view the above, counsel for the petitioners submits that on account of the limited relief sought at that point of time, the present writ petition has been rendered infructuous, since the prayer was only for staying the termination of the petitioners till regular appointments are made. The stay order dated 19.09.2017 stands vacated.

Ordered accordingly.

MAY 31, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No