

CWP-20507-2017 (O&M)

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

**CWP-20507-2017 (O&M)
Date of decision : 23.07.2019**

Dharambir Hooda

... Petitioner(s)

Versus

Pt. B.D. Sharma University of Health Sciences, Rohtak
and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Tribhuvan Dahiya, Advocate
for the petitioner.

Mr. Anurag Goyal, Advocate
for the respondent(s)/University.

Mr. Kiran Pal Singh, AAG, Haryana.

AMIT RAWAL, J. (ORAL)

Prayer in the writ petition is for quashing letter dated 28.08.2017 (Annexure P-2), whereby services of the petitioner as Clerk have been terminated w.e.f. 29.08.2017 by respondent No.3/A.P. Security Service.

Learned counsel appearing on behalf of the petitioner submitted that on recommendations of the respondent(s)-University, respondent No.3, appointed the petitioner as Clerk, on contract basis, therefore, he was employee of the University. The alleged termination order has not been passed in a pragmatic manner, which is reflected from Annexure P-2. The allegations of receiving money, services of the petitioner have been

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terminated. Such atrocious action of the respondents, is not sustainable in the eyes of law.

Per contra, Mr. Anurag Goyal, learned counsel appearing on behalf of the respondent(s)-University denied the relation of an employee and employer as his salary was being paid/disbursed by agency, therefore, writ would not lie.

I have heard learned counsel for parties, appraised paper book and of view that impugned order concededly is passed by respondent No.3/A.P. Security Service, though an attempt has been made to bring the purported action against respondent No.2, by placing on record Annexure P-2, but contents of the same reveal that certain complaints were received by the Vice Chancellor, PGIMS, Rohtak, who, after examination, made a note dispensing with the services. Since there was no relationship and services were dispensed with by respondent No.3, the petitioner's grievance is against a private party and cannot be redressed under Articles 226/227 of the Constitution of India and the remedy lies elsewhere.

With the aforesaid observations, the present writ petition is dismissed.

23.07.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No