

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-2005-2018

Date of decision: 23.01.2019

Manoj Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vineet Sehgal, Advocate for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

Ritu Bahri, J. (Oral).

By this petition, the petitioner is seeking direction to respondent No. 3 to allow him to continue work as Library Attendant.

Learned counsel for the petitioner contends that the petitioner was appointed as Library Attendant on contract basis with respondent No. 3 through outsourcing agency on 01.07.2014 and he is continuing till date.

Learned counsel for the petitioner has placed on record policy dated 06.04.2015 for outsourcing services (Annexure P-8). He has further referred to a letter dated 13.01.2017 (Annexure P-4) whereby the Principal K.M. Govt. College, Narwana has written to the Principal, Government Women College, Jind that the post of Senior Librarian, Junior Librarian, Restorer and Lab Attendant were sanctioned post and letter dated 13.01.2017 (Annexure P-4) is not being denied in the written statement by the respondents.

The petitioner has specifically stated that he was appointed on regularly sanctioned post and contents of para No. 2 have been admitted to be correct being matter of record.

Hence, advertisement dated 25.01.2018 (Annexure P-7) is quashed and the writ petition is allowed and the petitioner can only be replaced through a regularly recruited candidate or if his work and conduct is not found satisfactory as per the judgment of Supreme Court in ***Civil Appeal No. 8745 of 2003 Hargurpartap Singh V/s. State of Punjab and others.***

23.01.2019

Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No