

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-765-2018

Date of decision: 22.01.2019

Sandeep

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Ritu Bahri, J. (Oral).

The petitioner is working as Pump Operator since 05.06.2014 on DC rates with respondent No. 4 through the outsourcing policy as per Annexure P-1 collectively and the case pleaded by him is that on 10.10.2017, his services were terminated by respondent No. 4. He further states that respondent No. 4 was under the influence of local MLA.

Notice of motion was issued on 17.01.2018 and this case was to be listed alongwith CWP-23734 of 2017 and the respondents were directed not to replace the petitioner with similarly situated person.

On notice of this petition, reply has been filed by respondents on 22.06.2018 and in para 3 of the preliminary submissions, it has been clarified that petitioner Sandeep S/o late Om Parkash had left the job in the month of January 2017 and this information was given by the outsourcing agency vide letter dated 02.04.2018 (Annexure R-3) and the salary upto December 2016 has been paid by the agency. It is further clarified that the attendance register annexed with this petition (Annexure P-1 collectively) is

with regard to one Sandeep son of Raghbir and it does not relate to the

petitioner and as per the attendance register (Annexure R-4), there are two persons namely Sandeep son of Raghbir and Sandeep son of Om Parkash and he is trying take advantage of Annexure P-1 collectively whereas he has worked upto October, 2016. A perusal of attendance register (Annexure R-4) shows that Sandeep at Sr. No. 1 is the son of Raghbir and Sandeep at Sr. No. 2 is the son of Om Parkash and it further shows that in the month of November 2016 presence of Sandeep son of Raghbir is marked and the present petitioner has not been marked as present for the whole month. His attendance has been marked till October 2016.

The written statement was filed on 22.06.2018 and neither replication has been filed till date nor the contents of attendance Register (Annexure R-4) have been challenged by the petitioner.

Keeping in view the attendance register (Annexure R-4), there is no merit in this writ petition and is dismissed.

22.01.2019**Divyanshi****(RITU BAHRI)
JUDGE****Whether speaking/reasoned****:****Yes/No****Whether reportable****:****Yes/No**