

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

CWP-6740-2020

Date of decision: 16.03.2020

Sunil Kumar

...Petitioner(s)

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K.Bishnoi, Advocate,
for the petitioner.

Ritu Bahri, J. (Oral).

The petitioner was working as Electrician on contractual basis as per the outsourcing policy and his grievance is that after the term of respondent No. 4 is expired, a new contractor i.e. respondent No.5 has displaced him by appointing another contractual Electrician. The petitioner was never engaged by the department directly.

The issue of engaging persons through outsourcing policy part-1 has come up for consideration before this Court in ***CWP-13348-2018 titled as Rajiv Kumar and others V/s. State of Punjab and others*** whereby it has been held that persons who were engaged through service provider and if the department had changed the service provider and new service provider had replaced them by another set of contractual employees, no cause of action arises against the department since there is no contract between the contractual employees and the department. If any cause of action arises, it will be against the service provider.

This writ petition is disposed of by observing that if there is any cause of action, the petitioner should approach the respondent No.4/service provider who had engaged him.

Dismissed.

16.03.2020

Divyanshi

(RITU BAHRI)
JUDGE

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