

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

**CWP No.10030 of 2020 (O&M)
Date of Decision: 09.11.2020**

Sandeep Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. R.K.Malik, Senior Advocate assisted by
Mr. Sunil Hooda, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana for the respondents.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the action of the respondents, whereby the appointment of petitioner as Lascar has been converted from Outsource Policy Part-II to Outsource Policy Part-I w.e.f. 01.06.2020. Further prayer is to direct the respondents to continue the petitioner in service under Outsource Policy Part-II till the regular appointment is made.

In response to the notice of motion, issued by the co-ordinate Bench, short reply by way of affidavit dated 03.11.2020 of Commanding Officer, 1st Haryana Girls Battalion, NCC, Ambala Cantt. on behalf of the respondents was filed and para 5 thereof reads as under:-

“That the answering respondent No.2 has directed the answering respondent No.3 to allow the petitioner to continue on

the posts as per Outsourcing Policy Part-II of the State Government subject to condition that their work and conduct remain satisfactory. Further in compliance of the interim direction of the Hon'ble High Court the petitioner has been allowed as per the Outsourcing Policy Part-II to continue on his respective post w.e.f. 23.07.2020."

Since the respondents themselves have allowed the petitioner to continue on his post as per the Outsourcing Policy Part-II of the State Government subject to condition that his work and conduct remains satisfactory, therefore, no cause of action survives in the writ petition.

In view of the above, the present writ petition is rendered infructuous.

Ordered accordingly.

Since the main petition stands disposed off, therefore, the pending applications, if any, shall also stand disposed off.

Needless to say that respondents shall remain bound by the averments made in para 5 of the affidavit, extracted hereinabove.

November 9th, 2020

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>