

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

**CWP No.11584 of 2020 (O&M)
Date of Decision: 11.11.2020**

Shiv Dass

..... 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 impugned advertisement dated 01.05.2020 (P-4), whereby respondent No.3 had advertised certain posts including the post held by the petitioner through Contractor. Further prayer is to direct the respondents to continue the petitioner in service till the regular appointment is made.

In response to the order dated 18.08.2020, short reply by way of affidavit dated 26.10.2020 of Deputy Group Commander, NCC Group Headquarter, Ambala Cantt. on behalf of the respondents was filed and para 5 thereof reads as under:-

“That the answering respondent no.2 had directed the answering respondent no.3 to allow the petitioner to continue on his posts as per the 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 posts w.e.f. 17.08.2020."

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 remain satisfactory, therefore, no cause of action survives in the writ petition.

In view of the above, this writ petition is disposed off as having been 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 11th, 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>