

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-16128-2019

Date of decision: 06.03.2020

Karan Singh and others

...Petitioner(s)

V/s.

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Neeraj Januha, Advocate
for the petitioners.

Mr. Harish Nain, AAG, Haryana.

RITU BAHRI, J. (Oral).

By this petition, the petitioners are seeking direction to the respondents to adjust them against the post of Electrician and Tyreman as they were recruited during the strike and were removed from the said posts without issuing any show cause notice.

The petitioners were appointed as Electrician and Tyreman during the period of strike i.e. from 16.10.2018 to 03.11.2018 which lasted for 18 days. Their grievance is that after the strike is over they had not been adjusted on vacant post.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana, accepts notice on behalf of the official respondents.

Learned counsel for the State has filed written statement on behalf of respondents No. 1 to 4 in Court today which is taken on record.

As per para 2 of the written statement, the stand taken is that the petitioners were appointed during the strike period as per outsourcing policy by the

service providing agency 'The Vikash Co. op. L & C Society Ltd.' There was no separate agreement of the petitioners with the Government. The wages of the petitioners are given by the service provider. After the strike got over, the contract with the service provider also came to an end and it is not the case of the respondents that the service provider was retained and he has replaced petitioners with some other contractual employees.

Keeping in view above, writ petition is disposed of as no direction can be given to re-engage the petitioners as the contract with the service provider came to an end after the strike.

06.03.2020
Divyanshi

(RITU BAHRI)
JUDGE

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