

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

**CWP-11041-2016
Date of decision: 05.03.2020**

Laxmi Devi**...Petitioner(s)****V/s.****State of Haryana and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. Naveen Siwach, Advocate for
Mr. K.S.Dhanora, Advocate
for respondent No.4.

RITU BAHRI, J. (Oral).

By this petition, the petitioner is seeking direction to the respondents to reinstate and consider her for regularization.

The petitioner joined with the respondent Department as a Class IV employee in November 2009 and had been working as Class IV employee from 2009 till 2014. Thereafter she was told not to come. The petitioner had made representation dated 10.03.2016 (Annexure P-2) to allow her to work.

Notice of motion was issued on 30.05.2016 and there was no interim stay or direction to reinstate the petitioner. Written statement on behalf of respondents No. 1 to 3 has been filed on 18.07.2016. As per the written statement, it has been clarified that for the financial year 03.12.2013 to 02.12.2014, the contract for providing services was given to Sai Ram

Security and Placement Service, Hisar. The petitioner was deployed by the

Sai Ram Security and Placement Service, Hisar in the General Hospital, Fatehabad and remained deployed till 30.11.2014. Thereafter she had not been retained by Sai Ram Security and Placement Service Hisar for the next contract period 02.12.2014 to 01.12.2015 as her work and conduct was not found satisfactory during the previous year (02.12.2013 to 30.11.2014). The petitioner had been out of service since 30.11.2014 and during this period, new service provider-respondent No. 4 was appointed.

Learned counsel for respondent No.4 has adopted the reply filed by official respondents. Since there is no relationship of employer and employee between the State and the petitioner, no direction can be given at this stage to the service provider-respondent No. 4 to appoint her back.

Dismissed.

05.03.2020

Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No