

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-15941-2020 (O&M)
Date of Decision:- 1.10.2020

Gurpreet Kaur-I and others

... Petitioners

Versus

The Advocate General Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Saurabh Dalal, Advocate, for the petitioner.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

The petitioners assail order dated 28.9.2020, vide which the services of the petitioners who were working as 'Data Entry Operators' on contractual basis have been dispensed with.

Learned counsel for the petitioners submits that while the services of the petitioners have been dispensed with vide impugned order, but somehow the respondent has choosen to retain the juniors of the petitioners in service.

Notice of motion.

At this stage, Mr. R.S. Budhwar, Addl. A.G. Haryana, puts in appearance on behalf of the respondent and accepts notice.

Learned State counsel has informed that the services of the petitioners have been terminated in view of the fact that 21 regularly appointed 'Clerks' have joined. Learned State counsel has submitted that although there are some 'Data Entry Operators' who are junior to the petitioners and whose services since have not been terminated so far but he has explained that the same is on account of the fact that the contract of employment used to be extended on yearly basis and that while the said annual contract of the petitioners expired in the month of August, 2020 and their services were thereafter terminated in the month of September, 2020, the services of the juniors were not terminated immediately as their contracts of employment are to expire in the month of January, 2021 and April, 2021. The learned State counsel has submitted that the respondent in any case would be terminating their services upon the expiry of their contract and in fact would also consider dispensing with their services immediately in case there is no illegal impediment.

In view of the aforestated submission made on behalf of learned State counsel wherein it has categorically been stated that the services of other persons employed on contractual basis are also to be terminated shortly on account of regular appointment of 'Clerks', no directions are required to be issued. The petition, as such, is disposed of with a direction that in case there is any further requirement of 'Data Entry Operators' for a long term again after termination of services of the aforesaid juniors, then preference

be given to the petitioners over their juniors, provided the conduct of the petitioners has been satisfactory.

October 1, 2020

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(GURVINDER SINGH GILL)

JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No