

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

**C.W.P No 19192 of 2016
Date of decision : 14.01.2020**

Virender Singh

....Petitioner

versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. Harish Nain, AAG, Haryana

RITU BAHRI, J. (Oral)

Petitioner is seeking issuance of direction to the respondents not to replace him with any other contractual employee i.e respondent No. 3, as the same will be in violation of law settled by Hon'ble the Supreme Court.

On notice of the petition, a reply has been filed on behalf of respondent No. 2 stating therein that petitioner is not entitled for the relief claimed for, as the petitioner remained posted with respondent No. 2 as daily wager from the month of May, 2006 up to month of September, 2009. Subsequent to that on 01.10.2009, the Haryana Staff Selection Commission for cleanliness services contracted vide Annexure R-2/1 with India Manpower Security and Consultancy Services, Panchkula for the work of Sweeping and other cleanliness related activities. Petitioner never worked on daily wage basis directly with the office of respondent No. 2 after 30.09.2009. Further respondent No. 3 was not recruited against the post, which was occupied by the petitioner and she is recruited as Sweeper against advertisement dated

08.09.2015 on the basis of outsourcing policy dated 06.04.2015 (R-2/2). The petitioner never came for walk in interview, pursuant to advertisement dated 08.09.2015.

The present petition is liable to be dismissed, as the petitioner never participated, pursuant to advertisement dated 08.09.2015 and thus he has no right to claim appointment and neither he can challenge appointment of respondent No. 3, who has been selected after participating, pursuant to above advertisement dated 08.09.2015.

The writ petition is thus dismissed.

January 14, 2020
G Arora

(RITU BAHRI)
JUDGE

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