

ASHWANI

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sunil Kumar Nehra, Advocate
for the petitioner.

Mr. Jagbir Malik, Addl. A.G., Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)**CM-10027-CWP-2021**

Civil Misc. Application is allowed, as prayed for. Additional
affidavit of the petitioner is taken on record.

Main case

Petitioner herein, *inter alia*, seeks issuance of a writ in the
nature of certiorari quashing the impugned order dated 09.07.2020 endorsed
on 17.07.2020 (Annexure P-5), vide which, he has been removed from
service without conducting any regular enquiry and affording any
opportunity to him.

2. Learned counsel for the petitioner submits that the petitioner
was working as a Peon on contract basis. However, during pandemic, his
services were terminated on 16.03.2020 without granting him any
opportunity of hearing and even, no regular enquiry was conducted. He
relies on medical record of the petitioner, showing therein that he was under
depression at that particular point of time and hence, he could not attend his
duties.

3. Heard.

4. Not only the petitioner was concededly a contractual employee and his term of appointment was governed by the contract, even otherwise, in view of the disputed facts involved herein, this Court is not inclined to interfere in the extra-ordinary writ jurisdiction. The present writ petition is dismissed with liberty to the petitioner to seek his alternative civil remedy, as may be available to him under law.

September 01, 2021
gurpreet

(ARUN MONGA)
JUDGE

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