

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4074-2021(O&M)
Date of Decision:22.02.2021

Sh.Ajay Sharma

..... Petitioner

versus

Shri Mata Mansa Devi Shrine Board
and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Amit Jhanji, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record petitioner joined service with the respondent-Shri Mata Mansa Devi Shrine Board on the post of Junior Engineer in the year 2015.

Instant petition is directed against memo dated 12.02.2021 (Annexure P-7) in terms of which extension in service beyond 05.02.2021 has been denied to the petitioner.

Learned counsel would submit that petitioner had initially joined on the post in the year 2015 and thereafter even though the initial appointment was for a period of one year but regular extensions have been granted. It is further urged that there are three sanctioned posts of Junior Engineers under the respondent-Board and by virtue of the impugned order by denying sanction to the petitioner none of the post would be occupied and as such work would suffer. Yet another submission raised by counsel is that

the respondent-Board/competent authority has not initiated any recruitment process to fill up the posts in question on regular basis and as such till such time regular appointees do not join petitioner ought to be continued on the contractual arrangement.

Having heard counsel at length and having perused the pleadings on record this Court is of the considered view that no interference in the matter is warranted.

A contractual employee does not have any vested right to continue on such arrangement. It is not the case made out on behalf of the petitioner that he is sought to be replaced by another similar contractual arrangement. It would be within the domain of an employee whether to continue with the contractual arrangement or not.

Perusal of the impugned memo dated 12.02.2021 would show that in a oblique manner performance of the petitioner has been adversely commented upon.

Under such circumstances this Court does not find any infirmity or patent illegality in the impugned memo dated 12.2.2021 (Annexure P-7) denying benefit of extension in service as contractual employee beyond 05.02.2021.

No merit.

Dismissed.

At this stage counsel submits that certain policies have been framed by the State of Haryana under which contractual employees are to be retained and if engaged on outsourced basis.

Counsel seeks liberty to approach the respondent-Board/competent authority to seek adjustment under any such policy and which would be applicable to the facts of the case.

Without commenting on the merits of such submission, liberty is granted.

(TEJINDER SINGH DHINDSA)
JUDGE

22.02. 2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No