

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

CWP-21479-2021

Date of decision: 26.10.2021

Devender Tewatia

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Rakesh Nagpal, advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Petitioner herein, a contractual employee, *inter alia*, seeks issuance of a writ in the nature of mandamus directing respondent No.3 to allow him to work till the regular incumbent joins.

2. Learned counsel for the petitioner submits that petitioner was appointed as a Driver on 25.04.2018 with respondent No.3 on contract basis and his contract was extended from time to time. On 31.01.2021, respondent No.3 has verbally told the petitioner not to come on duty from the next day and his services have been terminated. He submits that respondents No.4 to 6 have been appointed on contract by replacing the petitioner.

3. He relies on an order dated 28.09.2021 (Annexure P-10) issued by State Government whereby fresh engagement under outsourcing policy-I and II has been stopped.

4. On advance service, learned State counsel joins proceedings and opposes issuance of notice of motion.

5. At this stage, learned counsel for the petitioner states that let a final decision be taken, either way, by the competent authority by treating the writ petition as a representation, giving reasons thereof.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner and also by keeping in view the contentions raised in the present petition by treating the same as a representation and take a decision, in accordance with law, as expeditiously as possible.

8. Disposed of accordingly.

26.10.2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No