

CWP No.21719 of 2021
Date of Decision: 28.10.2021

Ramesh Chand Harit

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Vinod Bhardwaj, Advocate
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari for quashing the impugned order/letter No.7692-94/8-E, dated 30.09.2021 (Annexure P-7) qua the petitioner vide which extension regarding engagement of petitioner as Canal Patwari after retirement on contract basis through outsourcing policy on DC rate has been dispensed with. Further, a writ in the nature of mandamus directing the respondents to allow the petitioner to continue the engagement of the petitioner as Canal Patwari till the date petitioner attain the age of 70 or till the regular appointments are made; with certain other prayers made in the present writ petition.

A perusal of the record shows that the extension granted to the engagement of the petitioner post his retirement was upto 30.09.2021. The respondents have not extended the tenure of employment of the petitioner thereafter. Hence, the petitioner has no contractual or statutory right to continue in the position.

Moreover, the petitioner was re-engaged after his retirement pursuant to the policy dated 02.02.2016. However, the said policy also stands reversed by the Government vide subsequent instructions dated 28.09.2021, which prohibit any further engagement under Part-I and Part-II of the Outsourcing Policy. Hence, the action of the respondents is perfectly in tuned with the policy issued by the State Government.

Accordingly, no fault can be found with the action of the respondents in not continuing the engagement of the petitioner any further. Hence, findings no merit in the present writ petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

28.10.2021
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No