

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

116

CWP-21974-2020 (O&M)

Date of Order:27.01.2021

SHER SINGH

..Petitioner

Versus

STATE OF HARYANA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Samarth Sagar, Addl. A.G.,Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner, who was employed through outsourcing did not report for duty from April, 2018. The petitioner claims that he on account of his ill-health could not continue to serve.

The petitioner through the present writ petition prays for a writ in the nature of mandamus commanding the respondents to permit the petitioner to rejoin his duty as Ambulance Driver or in the alternative re-employ/re-engage him on the basis of first come last go.

The principle of first come last go is available under the Industrial Disputes Act, 1947.

Learned counsel for the petitioner fairly admitted that the petitioner does not have a right to re-employment under the Service Rules or the instructions issued.

Keeping in view the aforesaid facts, this Court is not inclined to

issue the writ as prayed for. However, the petitioner shall be at liberty to knock the doors of the Industrial Tribunal-Labour Court.

Disposed of accordingly.

January 27, 2021
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(ANIL KSHETARPAL)
JUDGE

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