

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

CWP NO. 25600 OF 2021

DATE OF DECISION: 16.12.2021

Santa

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Gaurav Gupta Advocate for
Mr. Gaurav Singla, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through video conferencing).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondents to consider the claim of the petitioner for treating him as regular incumbent and, not to replace him by any other contractual/outsourcing agency. Further prayer has been made to pay the entire arrears of salary of the petitioner from July, 2019.

2. Learned counsel for the petitioner submits that petitioner was appointed as Sweeper on monthly basis in Government Hospital, Palwal in the year 2010. Her tenure was extended from time to time. Services of the petitioner were terminated in the month of July, 2020, without giving any notice. He further submits that petitioner has not been paid the salary from July, 2019 onwards. Qua the aforesaid grievance, petitioner caused

representation followed by legal notice but to no avail. Hence, the instant petition.

3. On advance service of copy of the petition, learned State counsel joins the proceedings and opposes the issuance of notice on motion.

4. Since services of the petitioner were purely on contract basis, in the premise, no further proceedings are warranted in the instant writ petition and same is disposed of accordingly. However, it is made clear that petitioner shall not be replaced with another contractual employee, unless of course regular appointment is made qua the same post.

5. As regards other grievance qua non-payment of wages from July- 2019, the petitioner is at liberty to follow up the same with the respondents. It is expected of the competent authority to look into the grievance qua non-payment of wages/salary and remittance of the same, provided of course, for the corresponding period she had rendered services.

DECEMBER 16, 2021
Shalini

(ARUN MONGA)
JUDGE

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