

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

CWP-2290-2022
Date of decision: 08.02.2022

Mazid	V/S	...Petitioner
State of Haryana and others		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Arjun Lakhanpal, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

Petitioner, herein seeks issuance of a writ in the nature of certiorari to quash the impugned order dated 17.12.2021 (Annexure P-4) vide which his services have been terminated.

2. Learned counsel for the petitioner submits that petitioner was appointed as Data Entry Operator in the department of Agriculture and Farmers Welfare, Jind through outsourcing services on 28.07.2021. Vide impugned order dated 17.12.2021, the Deputy Director, Department of Agriculture and Farmers Welfare, Jind terminated the services of the petitioner without affording any opportunity of hearing.

3. On advance service, learned State counsel strenuously opposes the petition on the ground that not only being a contractual employee, writ is not maintainable as the petitioner ought to have invoked his other civil remedies as are available to him.

4. I have heard learned counsel for the parties and gone through the case file.

5. Concededly, petitioner’s services were hired on contract and petitioner has served only for a period of three months. It is the prerogative of an employer to continue and/or discontinue with the contractual services in terms of the contract. I am of the view that on the short ground of being a matter of contract, this Court ought not to exercise its extraordinary writ jurisdiction.

6. This Court would refrain from interfering in the domain of the employer’s discretion to engage employees. I have my own reservation in granting indulgence in matters of contractual appointments by the State, as the same are made without making the employees to participate in any competition and/or selection process on the basis of merits. They are simply handpicked in the garb of a contract by not granting opportunity to those who may be far more meritorious.

7. No ground for interference by this Court is made out. Dismissed with liberty to the petitioner to seek civil remedy as may otherwise be available in law.

(ARUN MONGA)
JUDGE

February 08, 2022
vandana

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