

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

CWP No.3604 of 2019(O&M)

Date of Decision.06.05.2022

Narender

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sandeep Goyat, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

-. -

JAISHREE THAKUR J. (ORAL)

1. The petitioner herein has approached this Court under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of certiorari for quashing order dated 25.01.2019 passed by respondent No.4 whereby services of the petitioner as Water Carrier under outsourcing policy have been dispensed with, despites order dated 22.01.2019 passed by respondent No.2 whereby services of Class IV employees were extended w.e.f. 01.09.2018 to 31.08.2019 under the said outsourcing policy.

2. Learned counsel appearing on behalf of the petitioner would submit that the petitioner was appointed on the post of Water Carrier on 07.09.2017 under outsourcing policy and his services along with other candidates was further extended w.e.f. 01.09.2018 to 31.08.2019. However, vide order dated 25.01.2019 services of the petitioner have been dispensed with. It is argued that though regular appointments have been made on 19 posts, still several posts are lying vacant at Sirsa, Charkhi Dadri and Traffic Police Station Hansi, and therefore, petitioner ought to be allowed to serve as Water Carrier till regular appointments are made on these posts.

3. Per contra, learned counsel appearing on behalf of the respondent-State would submit that all the 21 sanctioned posts of Water Carrier in Police District Hansi against which the petitioner and other persons were appointed under outsourcing policy, have been filled up by regular appointments w.e.f. 25.01.2019 and thus, there is no vacant post of Water Carrier in Police District Hansi. Therefore, services of the petitioner including services of other Class-IV employees have been dispensed with and the claim of the petitioner is liable to be rejected being devoid of merit.

4. I have heard learned counsel for the parties and have perused the paper book. Keeping in view the fact that against the 21 sanctioned posts of Water Carrier on which petitioner and other persons were working under the outsourcing policy in Police District Hansi have been filled up through regular appointments and there is no sanctioned post vacant, this court finds no merit in the claim raised by the petitioner regarding continuation of his services as Water Carrier. Consequently, order dated 25.01.2019 is upheld and the writ petition stands dismissed.

(JAISHREE THAKUR)
JUDGE

May 06, 2022

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No