

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-4312-2022
Date of decision: 11.05.2022

Kuldeep Kumar and another	Vs.	...Petitioners
State of Haryana and others		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Naveen Sheokand, Advocate,
For the petitioners.

Mr. Pankaj Middha, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to give appointment to the petitioners as 'Sweeper' as per letter dated 12.10.2021 (Annexure P-6) issued by the Director Health Services vide which instructions were given to all Civil Surgeons to take all the employees back in service.

2. On advance service, learned State counsel appears and strenuously opposes the petition.

3. I have heard learned counsel for the parties and perused the paper book.

4. Concededly, petitioners' services were hired on contract basis. Their services were dispensed with in the year 2017. It is too belated at this stage to pass any orders directing the official respondents one fine day to take them back in service on the ground that sometime back they had rendered their services on contract basis for a period of one year.

5. A contractual employee has very limited rights confined within the four corners of the contract of employment. 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. This Court would refrain from interfering in the domain of the employer’s discretion to engage employees on contract.

6. No ground for interference by this Court is made out. Dismissed.

11.05.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No