

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

**Item No.133**

**CWP-8513-2022 (O&M)**

**Date of decision: May 31, 2022**

Jatin Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:** None for the petitioner.

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

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**ARUN MONGA, J. (ORAL)**

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to take the petitioner back in service on contract basis and adjust him against vacant post of Computer Operator, under Outsourcing Policy, Part-I.

2. Petitioner was earlier appointed on the post of Group-C on contract basis through outsourcing policy Part-I framed by the Government. Per the averments in the petition, no regular employee ever joined the duties in place of the petitioner. Moreover, regular sanctioned post of Group 'C' is still lying vacant with the respondent-Department. However, the services of the petitioner have yet been summarily terminated by the respondent-department. Qua his aforesaid grievance petitioner submitted representation but to no avail. Hence, the instant petition.

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

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

5. Concededly, the petitioner's services were hired on contract. A contractual employee has, but only 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. There is no violation of the terms of contract herein.

6. This Court would refrain from interfering in the domain of the employer’s discretion to engage employees on contract, more so if services are not required.

7. In the premise, being a matter of contract, this Court ought not to exercise its extraordinary writ jurisdiction. Dismissed with liberty to the petitioner to seek appropriate alternative remedy as may be advised and available in law.

(ARUN MONGA)  
JUDGE

May 31, 2022  
*ashish*

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