

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

CWP No. 8843 OF 2022

DATE OF DECISION: 28.04.2022

Gian Chand

...Petitioner

Versus

The State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sandeep Yadav, Advocate for
Mr. Sandeep Sharma, Advocate,
for the petitioner.

Mr. Sharan Sethi, Addl. AG, Haryana .

ARUN MONGA, J. (ORAL)

Petitioner, who was working as Patwari, has assailed the impugned order dated 18.03.2021 (Annexures P-8 and P-9) whereby his services have been terminated without granting an opportunity of hearing to him.

2. Petitioner was appointed on contract as Patwari against vacant post in the office of respondent No.3 vide order dated 29.09.2011 and he joined service on 21.10.2011. His term was extended from time to time upto 31.10.2021. He received notice dated 18.03.2021 (Annexure P-8) from the office of respondent No.3 and was relieved forcibly without disclosing any reason.

3. Learned counsel for the petitioner contends that neither any show cause notice was issued to the petitioner nor any departmental inquiry was conducted before the passing of impugned termination order dated 18.03.2021.

4. I have heard learned counsels for the parties.
5. This Court is of view that in case of person employed on contract basis, an employer is fully entitled to dispense with the services of a delinquent employee. Concededly services of the petitioner were hired on contract basis. 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 this short ground alone this Court ought not to exercise the extraordinary jurisdiction and would refrain from interfering in the domain of employer's discretion to engage employees.
6. No ground for interference by this Court is made out.
7. Dismissed. However the petitioner is at liberty to pursue his cause with the competent authority.

APRIL 28, 2022
Shalini

(ARUN MONGA)
JUDGE

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