

120 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16223-2022
Date of Decision: 28.07.2022

DINESH KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vikas Kumar Dhariwal, Advocate
for the petitioner.

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

ARUN MONGA, J. (ORAL)

Petitioner, herein seeks issuance of writ in the nature of *certiorari* for quashing the impugned order dated 09.07.2022 (Annexure P-12), whereby, his services were terminated.

2. Petitioner joined in the respondent department, admittedly on contract basis, under the National Health Mission Scheme. His services have been dispensed with vide order dated 09.07.2022, allegedly without any negligence on his part.

3. Learned counsel for the petitioner argues that even contractual employees have certain rights and their livelihood cannot be taken away so summarily.

4. On advance service, learned State counsel strenuously opposes the petition on the ground that writ is not maintainable.

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

6. It is trite to re-emphasize that a contractual employee has very limited rights confined within the four corners of the terms of contract. Therefore, this Court would ordinarily refrain to exercise its extraordinary writ jurisdiction on that ground alone. It is the prerogative of an employer to continue and/or discontinue with the contractual services in terms of the contract. Even otherwise, there are disputed questions of facts involved in the instant case.

7. No ground is made out for interference by this Court in the extraordinary writ jurisdiction.

8. Dismissed with liberty to seek alternative civil remedy, as may be available and if so advised.

July 28, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No