

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16649-2022

Date of Decision: 01.08.2022

SANJAY KUMAR AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Munfaid Khan, Advocate
for the petitioners.

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

ARUN MONGA, J. (ORAL)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 24.03.2022 (Annexure P-7) issued by respondent No.3 and adjustment letter dated 06.11.2020 (Annexure P-5) issued by Chief Secretary of General Administration Department, Government of Haryana.

2. Plead case is that petitioners were appointed as Ward Attendants at Shaheed Hasan Khan Mewati Govt. Medical College, Nalhar, Mewat on contractual basis in the year-2015. But suddenly, vide order dated 17.05.2021 (Annexure P-1), they were not allowed to attend their duties and were replaced with other persons vide Replacement letter dated 20.05.2021 (Annexure P-2). Aggrieved, the petitioners preferred **Civil Writ Petition No.2927-2022** titled ***Sanjay Kumar and others vs State of Haryana and others***, which was disposed of with a direction to the competent authority to look into the grievance of the petitioners in accordance with law. Pursuant thereto, respondent No.3 rejected the claim of the petitioners with a finding that all fresh recruitment/engagement under part-1 and part-II of outsourcing policy were stopped vide latest notification no.16/07/2015-3GS-II dated 06.12.2021 issued by Government of Haryana, whereas, the claim of the petitioners is based on re-engagement/adjustment and not for fresh

recruitment/engagement as they were appointed in the year-2015 as Ward Attendants. Hence, the second foray of present petition.

3. On advance service of copy of the petition, learned State counsel appears and submits that as per instructions dated 20.03.2020 (Annexure P-3), the Government has taken a policy decision to discontinue with the outsourcing contractors for making contractual appointments under part-I and part-II of the earlier outsourcing policy and instead have set up 'Haryana KaushalVikasRozgar Nigam'.

4. Heard.

5. In the premise, given that the petitioners were earlier hired on contract since 2015 onwards, it is expected that, in case, they apply for further contractual appointments, the competent authority shall sympathetically recommend their case, to be considered by the 'Haryana Kaushal VikasRozgar Nigam' provided, ofcourse, subject to the requirement of work exigency and their service record.

6. Disposed of accordingly.

August 01, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No