

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

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CWP-23938-2022 (O&M)

Date of decision : 14.12.2022.

Ashok and another

... Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Parmender Singh, Advocate for the petitioners.

Mr. Anant Kataria, DAG, Haryana.

Mr. Sanjiv Kumar Aggarwal, Advocate and
Mr. Tejas Bansal, Advocate for respondent No.3.

Anupinder Singh Grewal, J. (Oral)

CM-18843-CWP-2022

This application is for preponement of the date fixed in the main case.

As the main case is listed today, this application has been rendered infructuous and stands disposed of as such.

CM-19494-CWP-2022

This application is for placing on record Annexures P-12 and P-13.

Heard. For the reasons stated in the application, the same is allowed and Annexures P-12 and P-13 are taken on record subject to all just exceptions.

Main case

The petitioners have sought a direction to the respondents restraining them to dispense with their services or replace them by similar set of contractual employees.

Learned counsel for the petitioners submits that the petitioners had been appointed as Laboratory Technician on contractual basis during Covid-19 pandemic to meet the emergent situation. Their work and conduct had been satisfactory. The services of the petitioners are being dispensed with although the requirement of work is still there as per letter dated 09.06.2022. He also submits that the respondents have initiated the process of recruitment of fresh staff which would be impermissible.

Learned counsel for respondent No.3 submits that the petitioners had been appointed on contractual basis to work in the Department of Microbiology, Pandit Bhagwat Dayal Sharma University of Health Science, Rohtak, in view of Covid-19 pandemic. They had to work in the laboratory as testing of large number of samples was required. Their services were extended from time to time and they have been terminated on 30.11.2022, on completion of their tenure. He further submits that the petitioners are not being replaced by another set of contractual employees in the Department of Microbiology and fresh recruitment is being carried out in the Department of Neurology under the Government of India Scheme. No recruitment would be carried out in the Department of Microbiology. He also submits that a similar petition bearing CWP No.27104 of 2022, titled as 'Virender and another versus State of Haryana and others', had been dismissed by a Coordinate Bench of this Court on 29.11.2022.

Heard.

The petitioners had been appointed on contractual basis during Covid-19 pandemic. They were working in the department of Microbiology of respondent No.3. Their tenure had been extended but later, on the expiry of the

tenure, their services had been dispensed with. Counsel for respondent No.3 has categorically stated that no contractual appointments are being made in the Department of Microbiology.

Consequently, I do not find any merit in this petition.

At this stage, learned counsel for the petitioners submits that the names of the petitioners be sent by respondent No.3 to Haryana Kaushal Rozgar Nigam Ltd. and they should also verify the experience which the petitioners had gathered at respondent No.3-Institute. He also submits that the salary of the petitioners has not been paid.

Learned counsel for respondent No.3 submits that in the event of the petitioners applying to Haryana Kaushal Rozgar Nigam Ltd., their experience certificate and other formalities at the end of respondent No.3 would be completed expeditiously and the outstanding amount of salary, if any, would be released to them within a period of two weeks from now.

The petition stands disposed of accordingly.

Pending application, if any, shall also stand disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

December 14, 2022

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No