

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

CWP-24543-2022 (O&M)

Date of decision: October 21, 2022

Ajay Sharma and others

....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Shubham Kashyap, Advocate for
Mr. Sandeep Singal, Advocate for the petitioners.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus directing the respondents to implement the Government notification dated 30.06.2022 (Annexure P-5), whereby policy namely 'Deployment of Contractual Persons Policy, 2022' has been notified for the purpose of engaging contractual staff in Government Board/ Corporation/ Departments through 'Haryana Kaushal Rozgar Nigam' and persons like petitioners being outsourced employees can be engaged through the said Nigam.

2. Pledged case is that petitioners were initially engaged as 'Booster Pump Operators' on contract basis under outsourcing policy, for a period of 6 months. Contract was being extended from time to time and petitioners were working as such. State Government has notified a 'Deployment of Contractual Persons Policy, 2022' vide notification dated 30.06.2022 (Annexure P-5) for the purpose of engaging contractual staff in Government Board/ Corporation/

Departments through 'Haryana Kaushal Rozgar Nigam'. Said policy is fully applicable on the petitioners. Till date, data of the petitioners have not been uploaded. Petitioners moved a representation dated 22.08.2022 (Annexure P-7), but no action has been taken. Some of the petitioners preferred CWP-1238-2020, which was disposed of vide order dated 17.01.2020 (Annexure P-8), directing respondents to continue the petitioner till regular selections are made. Respondent-State preferred RA-CW-245-2020, order dated 17.01.2020 (Annexure P-8) was modified vide order dated 13.07.2022 (Annexure P-9), to the extent that in case, the petitioners are replaced by another set of contractual employees by any other service provider, they can avail appropriate remedy and raise their grievance against the service provider in accordance with law.

3. I have heard rival contentions of learned counsel for the parties and perused the record.

4. Concededly, vide an administrative letter dated 19.01.2022 (Annexure P-6), all the Superintending/ Executive Engineers of the Department have been directed to upload data of contractual/ outsourced employees working in the Department, on the website of Haryana Kaushal Rozgar Nigam. Petitioners worked on contract basis with the respondent-Department. Grievance is that their data has yet not been uploaded on the website of 'Haryana Kaushal Rozgar Nigam'.

5. Accordingly, writ petition is disposed of with an expectation that in terms of notification dated 30.06.2022 (Annexure P-5), steps will be taken *qua* all the contractual/ outsourced employees, including the petitioners, to

upload their particulars on the website of ‘Haryana Kaushal Rozgar Nigam’
so that they can avail the benefit of the policy *ibid*, if eligible otherwise.

(ARUN MONGA)
JUDGE

October 21, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No