

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

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**CWP No.3106 of 2022
Date of Decision : 7.11.2023**

*Mohd. Akhlak and others**..... Petitioners**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Jasbir Mor, Advocate, for the petitioners

Mr. Suneel Ranga, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *certiorari* quashing the impugned order dated 5.1.2022, Annexure P-10, whereby the petitioners' service has been terminated w.e.f. 31.12.2021 though they have worked upto 4.2.2022; a writ of *mandamus* directing the respondents to allow the petitioners to continue in service on contract basis on their respective posts against the sanctioned vacant posts under Outsourcing Policy Part-II, dated 6.4.2015, Annexure P-1.

2. On request of learned counsel for the petitioner, the Haryana Kaushal Rozgar Nigam Limited (hereinafter referred to as 'the Nigam') through its Chief Executive Officer (CEO) is impleaded as party respondent. Registry is directed to carry out necessary corrections in the memo of parties.

3. Learned State counsel accepts notice on behalf of the impleaded respondent.

4. In terms of the affidavit, dated 29.8.2022, filed on behalf of respondents no.1 to 4 by Dr. Parul Goel, Deputy Director, Medical

Education and Research, the State government notified Deployment of Contractual Persons Policy dated 30.6.2022, and decided to adjust the petitioners through the Nigam under the Contractual Person Deployment Policy, 2022. However, the Director of the respondent institute intimated the government that there was no requirement for the petitioners' services as no COVID-19 case was being reported, and the Laboratory Technicians currently working in the Department of Microbiology of the Institute have been posted in the concerned laboratory. That is the reason, the petitioners could not be adjusted in the institute in the absence of available posts.

5. Learned State counsel, however, contends that the petitioners can be adjusted for engagement in different medical colleges in the State through the Nigam as their data stands uploaded on its portal.

6. In view of the aforesaid, the petition is disposed of with a direction to the petitioners to make a representation to the Nigam within two weeks, to be considered for engagement as Research Assistant, Research Scientist and Lab Technician, as per available vacancies in different medical colleges in the State. The CEO of the Nigam is directed to take appropriate decision on the representation in accordance with law within a period of six weeks from receiving the same, keeping in view the fact that the petitioners are experienced hands and have worked in the respondent Institute under Outsourcing Policy Part-II.

(TRIBHUVAN DAHIYA)
JUDGE

7.11.2023

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No