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

CWP No.10607 of 2019 (O&M)

Date of Decision: 31.01.2023

ANIL AND ANOTHER

.....Petitioners

Vs

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. M.S. Kathuria, Advocate for
Mr. Partap Singh, Advocate
for the petitioners.

Mr. Naveen Singh Panwar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The petitioners have preferred this writ petition for the issuance of an appropriate writ in the nature of certiorari for quashing of the order dated 25.01.2019 passed by the respondent No.4 vide which the services of the petitioners were dismissed.

The petitioners were appointed as Group-D employees on 07.09.2017 and their services were extended from time to time. The petitioners were appointed under Outsourcing Policy Part-II i.e. till arrival of regular candidates from the recruitment agency.

Admittedly, the posts occupied by the petitioners under Outsourcing Policy Part-II have already been filled through regular appointments and the regular candidates have also joined the posts.

Vide order dated 30.05.2022, learned counsel for the petitioners sought time to address arguments. Factum of regular posts has not been denied by learned counsel for the petitioners except to submit that the respondent No.2 has already issued instructions on the subject matter of Group-D candidates and their joining, specifying that wherever, further vacant posts are available and contractual persons have been engaged against such posts, the department shall send the requisition of the vacant Group-D posts to the recruitment agency but continue to retain the existing contractual persons against those posts, till the regular candidates are appointed.

Presently the regular candidates have already been appointed and they have joined the posts which were earlier occupied by the petitioners. The benefit, if any, arising out of the instructions/order dated 02.02.2019 issued by the Chief Secretary to Government of Haryana to all Administrative Secretaries can be availed by the petitioners in accordance with law.

In view of above, there is no scope for interference in the present writ petition. The same is dismissed.

(RAJ MOHAN SINGH)
JUDGE

January 31, 2023

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No