

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

CWP No.10485 of 2013 (O&M)

Date of Decision:17.08.2023

Meenaxi

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Verma, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Vijay Pal, Advocate
for respondents No.2 to 4.

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HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that the petitioner had worked with the respondents for a sufficient long time starting from the year 2008 till 2013. Thereafter, in order to appoint another contractual employee, services of the petitioner were terminated vide order dated 26.04.2013, which is incorrect as contractual employees cannot be replaced by another set of contractual employees.

2. Learned State counsel submits that petitioner was relieved from service on account of reduction of workload and as per the additional affidavit dated 17.08.2017 filed by Rajeev Bansal, Chief Engineer, CADA, Panchkula, respondent No.5 was engaged for multipurpose work, who worked only for 5 days, hence, it cannot be stated that petitioner herein was replaced by respondent No.5 after he was relieved from service.

3. Learned counsel for the petitioner submits that in past 10 years, respondents have employed persons from various agencies on contract basis but

they had not given a chance to the petitioner to serve them again and the petitioner is ready to serve respondents, in case workload exists on the post on which petitioner was discharging his duties.

4. Learned State counsel submits that in case the petitioner feels that the post on which the petitioner was discharging his duties is lying vacant and work of the said post exist to be performed, the petitioner can make appropriate representation to the government/authorities concerned for consideration of her claim, so as to appoint her for discharging duties on the said post and in case, any such representation is made, the claim of the petitioner will be considered in accordance with law and appropriate speaking order will be passed within a period of 8 weeks from the date of any such representation and after passing of the said speaking order, if any benefit accrues to the petitioner, the same will be extended to her within a further period of four weeks.

5. Learned counsel for the petitioner submits that keeping in view the statement made by learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to file an appropriate representation.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 17, 2023
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No