

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-15086 of 2013 (O&M)  
Date of decision: 20.03.2023

Shikha Gupta and others ..Petitioners

Versus

State of Punjab and others ..Respondents

CWP-9059 of 2020 (O&M)

Sanjana Mittal and others ..Petitioners

Versus

State of Punjab and others ..Respondents

CWP-19783 of 2021 (O&M)

Preeti Klair and others ..Petitioners

Versus

State of Punjab and others ..Respondents

CWP-20041 of 2021 (O&M)

Simanjit Kaur and another ..Petitioners

Versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.K.Sharma, Advocate  
for the petitioners (in CWP-15086-2013 and 9059-2020).

Mr. Mohit Jaggi, Advocate  
for the petitioners (in CWP-19783 and 20041 of 2021)

Mr. Vikas Arora, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

1. By this order, Civil Writ Petition No.15086 of 2013, 9059 of

2020, 19783 and 20041 of 2021 shall stand disposed of.

2. The services of the petitioners were engaged as the Medical Laboratory Technicians to work in the Government Medical College/Rajindra Hospital, Patiala through an outsourcing agency. The respondent-State wishes to recruit the Medical Laboratory Technicians on a regular basis. The period of contract with the outsourcing agency has come to an end.

3. The learned counsel representing the petitioners with all vehemence in his command submits that the services of the petitioners cannot be dispensed with after a period of 17 years by the department though through the outsource agency. He submits that this court should exercise its writ jurisdiction under Article 226 of the Constitution of India to direct the respondents to regularize their services.

4. On the other hand, the learned counsel representing the State has submitted that the petitioners are continuing in service in view of the interim order dated 22.07.2013 and the respondent-State has already issued the recruitment notice for making appointment on a regular basis.

5. Undisputedly, the petitioners were never appointed on the regular basis. They are continuing to work on the basis of an interim order granted by the High Court in the year 2013. There is no justification to deny the department to make appointment on the regular basis. Moreover, as per the agreement dated 09.01.2006, between the government and Aman Security and Detective (Registered) the period of contract was initially for 3 years which was to be extended for 2 more years.

6. In these circumstances, this court does not find it appropriate to

issue direction to the respondents to regularize the petitioners' services particularly when the petitioners does not possess the minimum qualification as claimed by the official respondents. Admittedly, the petitioners' earlier writ petition seeking regularization was dismissed on 25.04.2014.

7. Keeping in view the aforesaid facts and discussion, the writ petitions are dismissed.

8. All the pending miscellaneous applications, if any, are also disposed of.

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|---------------------------|-------------------|
| March 20, 2023            | (ANIL KSHETARPAL) |
| nt                        | JUDGE             |
| Whether speaking/reasoned | : Yes/No          |
| Whether reportable        | : Yes/No          |