

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.15435 of 2023 (O&M)
Date of decision : 22.08.2023

Sandeep Singh and Anr

....Petitioners

Versus

State of Haryana and Ors.

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Kushagra Beniwal, Advocate for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-13616-CWP-2023

Prayer in this application is for placing on record Annexure P.14.

Application is allowed. Annexure P.14 is taken on record.

CWP No.15435 of 2023

In the present petition, the prayer of the petitioners is that their claim for reinstatement in service has wrongly been denied by the respondents vide impugned order dated 06.01.2022 (Annexure P-11), though similarly situated employees have already been granted the said benefit.

Learned counsel for the petitioners argues that the petitioners were working on contract basis as per the outsourcing policy issued by the Government of Haryana and they have worked with the respondents upto December 2014 after which they were relieved from service. He further submits that in the year 2018, certain employees working along with the petitioners who were also relieved from service, have been reinstated. Hence, the said benefit of reinstatement as has been granted to other similarly situated contractual

employees, should have been extended to the petitioners but their claim has been declined vide the impugned order.

It is conceded fact that for the last about eight and half years, the petitioners are not working with the respondents. It is also not in dispute that with respect to outsourcing employees, the respondent-State of Haryana has already framed a policy according to which all such employees are to be recruited through Haryana Kaushal Rojgar Nigam. Once, the said decision has already been taken by the respondent-State to appoint such persons through the said Nigam only, the plea of the petitioners that they should be directly reinstated, has rightly not been accepted, keeping in view the policy in operation on the date when the case of the petitioners was considered and rejected. Once, a special policy has been framed for outsourcing employees, the petitioners cannot be granted the benefit of reinstatement *de hors* the said policy.

No ground is made out for interference by this Court qua the impugned order.

Dismissed.

August 22, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable : Yes.