

**CM-21498-CWP-2023 in/and
CWP-25938-2019 2023:PHHC:165185 1
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**(106) CM-21498-CWP-2023 in/and
CWP-25938-2019
Date of Decision : December 22, 2023**

Amit Kumar and others .. Petitioners

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.S. Sahu, Advocate, for the applicant-petitioners.

Mr. Pankaj Middha, Addl. Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-21498-CWP-2023

Present application has been filed for recalling the order dated 20.11.2023, by which, the present writ petition was dismissed for non-prosecution.

Notice of the application to the counsel opposite.

Mr. Pankaj Middha, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. He raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the same is allowed. The order dated 20.11.2023 is recalled and the writ petition is restored to its original number and status.

CWP-25938-2019

1. In the present writ petition, the grievance of the petitioners is that they have been replaced by another set of contractual employees, which is not permissible.

2. From the facts stated in the petition, the petitioners were appointed through a private outsourcing agency and keeping in view the settled principle of law as settled in *CWP No.12274 of 2020 titled as Kumar Saurabh and others vs. State of Haryana and others, decided on 30.09.2020* that no writ is maintainable against a private entity.

3. Faced with this situation, learned counsel for the petitioners submits that the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioners to avail appropriate remedy before the Civil Court for the redressal of their grievance.

4. Ordered accordingly.

December 22, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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