

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

**COCP-2741-2023 (O&M)
Date of decision: 06.09.2023**

Rajan and another

...Petitioners

Versus

Pankaj Agarwal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Chanchal K. Singla, Advocate and
Ms. Tarranum Madan, Advocate
for the petitioners.

Mr. P. K. Longia, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners are alleging violation of the order dated 28.05.2019, passed by this Court in CWP-14455-2019, which reads as under:

“Learned counsel submits that petitioner No. 1 and 2 are working as Chowkidar since 13.06.2014 and 01.08.2014 respectively with Food Supply Corporation through respondent No. 4. Petitioners are now seeking directions to the respondents not to dispense with their services.

Learned counsel is relying upon judgment passed by this Court in a case of *Shiv Kumar and others vs. State of Haryana and another, 2017 (1) SCT 197* wherein it has been held that contractual employee cannot be replaced by another similar arrangement.

Notice of motion for 29.10.2019.

In the meantime, petitioners shall not be replaced by another set of contractual employees, subject to the condition that their work and conduct is satisfactory.”

Learned State counsel, on instructions, submits that services of the petitioners were dispensed with as their work and conduct was not found satisfactory. It is further submitted that the petitioners were transferred to some other place, where both of them did not join, therefore, there is no violation of the aforesaid order.

In view of the above, the present petition is rendered infructuous.

Rule stands discharged.

The petitioner are granted liberty to avail the alternative remedy, in accordance with law, if so advised.

06.09.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No