

201.

2023:PHHC:069528

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-37062-2019

Date of Decision: 15.05.2023

SHRI BHAGWAN

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajeev Sharma (Raju), Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

1. The present writ petition has been filed seeking to challenge the action of the respondent No.3-Bank whereby the petitioner who was working on the post of Guard/Gunman has not been allowed to perform his duties with the intention that his services would be replaced by another temporary/contractual employee. A writ of mandamus has also been sought for directing the respondents to take him back in service.

2. Learned counsel appearing on behalf of respondent-State would submit that the petitioner was appointed through outsourcing agency and, therefore, as per the judgments rendered in *Nishan Singh and others Versus State of Punjab and others, 2014 (11) RCR (Civil) 262; Sharanbir Kaur Versus State of Punjab and others, LPA No.1910 of 2018*, decided on *10.12.2018; Vikash Versus State of Haryana and others, CWP No.19762 of 2018*, decided on *11.12.2019; Yamin and others Versus State of Haryana and others, CWP No.1822 of 2019*, decided on *19.08.2020* and *Balbeer*

Singh and others Versus Haryana State Warehousing Corporation and others, CWP No.17478 of 2020, decided on ***07.12.2020***, present writ petition is not maintainable.

3. I have heard learned counsel for the parties and find that no interference can be called for at this stage. The petitioner was allegedly working on the post of Guard/Gunman and was appointed as such through outsourcing agency, namely, G.K. Group Security (regd.), arrayed as respondent No.4.

4. Faced with this, learned counsel for the petitioner would submit that the petitioner would move an application for being registered on the portal of Haryana Kaushal Rozgar Nigam Limited and the same be considered in accordance with law.

5. The petition is dismissed as not maintainable. However, in case he is found eligible as per the policy, as prayed by him, he be considered accordingly.

(JAISHREE THAKUR)
JUDGE

15.05.2023
sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No