

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

229

CWP-244-2021 (O&M)

Decided on :04.03.2024

AMIT KUMAR AND ORS

. .PETITIONERS

Versus

STATE OF HARYANA AND OTHERS

. . . RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. K. Malik, Senior Advocate with
Mr. Sandeep Dhull, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Punjab.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the prayer of the petitioners is that the petitioners were appointed under Outsourcing Policy on the post of Drivers.
2. Learned Senior counsel for the petitioner submits that the post in question were advertised by the respondent-department and claim of all the eligible candidates were considered before giving them appointment on D. C. Rate, a copy of order dated 31.01.2019 has been annexed as Annexure P-1 and the petitioners are working with the respondents-department since December, 2018 onwards.
3. Learned Senior counsel for the petitioners submits that petitioners are entitled for the minimum of pay-scale as envisaged under the Policy dated 03.11.2017 (Annexure P-4) along with other allowances which are admissible keeping in view the settled principle of law.
4. Learned Senior counsel for the petitioners further submits that the petitioners are also allowed to continue in service till the work of the post in question exists and the conduct of the petitioners remains satisfactory to performs the duties of the said post.

5 Learned State counsel submits that an appropriate speaking order on the claim of the petitioners for the grant of minimum pay-scale alongwith other consequential benefits keeping in view the settled principle of law will be passed by the competent authority within the period of 08 weeks from the date of receipt of copy of this order and in case, the petitioners are found entitled for any relief, the same will be extended to them fortnight otherwise, due reasons will be given in the speaking order.

6. Learned State counsel further submits that the petitioners will be allowed to continue in service till the work of the said post exist and they will not be replaced by the similarly situated employees subject to the conditions that the work and conduct of the petitioners remains satisfactory so as to entitled them to continue in service.

7. Learned senior counsel for the petitioners submits that keeping in view the statement given by the learned State counsel recorded herein above, the present petition may kindly be disposed of having been not pressed any further.

8. Ordered accordingly.

9. Pending miscellaneous application, if any, shall also stand disposed of.

04.03.2024

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No

(HARSIMRAN SINGH SETHI)
JUDGE