



CWP-2546-2021 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-2546-2021 (O&M)
Date of Decision :27.05.2024

Pardeep Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K Verma, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG. Hayana.

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Harsimran Singh Sethi, J. (Oral)

In the present petition, grievance being raised by the petitioner is that the petitioner, who was working with the respondents as Data Entry Operator, has been replaced by another employee namely, Naveen Sharma, which action of the respondents is totally arbitrary and illegal.

Learned State counsel at the outset submits that the petitioner was initially appointed through an outsourcing agency and even the said Naveen Sharma against whom a claim has been raised by the petitioner, has been appointed through an outsourcing agency and there was no master and servant relationship between the petitioner and respondent-State as well as between said Naveen Sharma and the respondent-State.

Learned counsel for the respondents has placed reliance upon the judgment of this Court passed in **CWP-12274-2020 titled as Kumar**



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Sourabh and others vs. State of Haryana and others, decided on 30.09.2020, wherein, it has been held that no writ petition is maintainable against the outsourcing agency.

Faced with this situation, learned counsel for the petitioner submits that the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to avail an appropriate remedy for the redressal of his grievance including filing of civil suit to claim the benefit of continuity in service against a private agency as well as against the said Naveen Sharma by whom the petitioner has been replaced.

Ordered accordingly.

Civil miscellaneous application pending, if any, is also disposed of.

May 27, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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