



CWP-10921-2021 (O&M);  
CWP-5774-2021 (O&M) &  
CWP-13855-2021 (O&M)     -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

|                             |                                                      |
|-----------------------------|------------------------------------------------------|
| 232 (03 cases)              | CWP-10921-2021 (O&M)<br>Date of Decision :22.05.2024 |
| Fanish and others           | ...Petitioners                                       |
| Versus                      |                                                      |
| State of Haryana and others | ....Respondents                                      |
| CWP-5774-2021 (O&M)         |                                                      |
| Amit Kumar                  | ...Petitioner                                        |
| Versus                      |                                                      |
| State of Haryana and others | ....Respondents                                      |
| CWP-13855-2021 (O&M)        |                                                      |
| Yogesh Kumar                | ...Petitioner                                        |
| Versus                      |                                                      |
| State of Haryana and others | ....Respondents                                      |

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kamal Sharma, Advocate  
for Mr. Mukul Aggarwal, Advocate for the petitioners  
in CWP-10921-2021 & CWP-5774-2022.

Mr. Vikas Singh Chawra, Advocate for the petitioner

2024:PHHC:073067



CWP-10921-2021 (O&M);  
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in CWP-13855-2021.

Mr. Harish Rathee, Sr. DAG, Haryana.

\* \* \*

**Harsimran Singh Sethi, J. (Oral)**

In the present petitions, grievance of the petitioners is that though, they were appointed as duty medical officer at Bhagat Phool Singh Government Medical College for Women, Sonapat on contract basis but their contract has not been extended by the respondents and they are being replaced by another set of contractual employees, which action of the respondents is totally arbitrary and illegal.

As per the reply filed on behalf of the respondents, the petitioners have been appointed on contract basis through a private contractor and there is no master and servant relationship between the petitioners and respondent-State and they are the employees of the contractor only and hence, keeping in view the settled principle of law settled by this Court in **CWP-12274-2020 titled as Kumar Sourabh and others vs. State of Haryana and others, decided on 30.09.2020,** writ petition is not maintainable qua a private agency.

Faced with this situation, learned counsel for the petitioners submits that the present petitions may kindly be disposed of having been not pressed any further with liberty to the petitioners to approach the appropriate forum for the redressal of their grievance.

Ordered accordingly.

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CWP-10921-2021 (O&M);  
CWP-5774-2021 (O&M) &  
CWP-13855-2021 (O&M)     -3-

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

A photocopy of this order be placed on the file of connected  
cases.

May 22, 2024  
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(HARSIMRAN SINGH SETHI)  
JUDGE

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