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

CWP-21264-2018

Date of Decision:11.01.2024

PARDEEP RAI AZAD

..... Petitioner

Versus

**B R AMBEDKAR NATIONAL INSTITUTE OF TECHNOLOGY
AND ORS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Prateek Rathee, Advocate
for the petitioner.

Mr. Vivek Singla, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of notice dated 09.08.2018 (Annexure P-1) whereby petitioner is relieved from service.

2. The petitioner was directly engaged by respondent-institute on contract basis as Nodal Officer in 2014. He was appointed as Assistant Registrar on 06.04.2015 on contract basis. The Institute in 2017 engaged a manpower agency which in turn availed services of the petitioner as Liasion Officer vide appointment letter dated 10.04.2017. The petitioner from 2017 to 2018 worked as employee of manpower agency. In 2018, it was the manpower agency which decided to terminate the services of the petitioner. It is conceded position that since 2018, the petitioner is neither working with the Institute nor with the manpower agency. The respondent-institute has appointed an Assistant

Registrar on regular basis through proper recruitment process.

3. The petitioner, from 2017 onwards, worked with manpower agency and by his own act and conduct, accepted himself as employee of manpower agency. The contract between petitioner and manpower agency was a contract between two private parties. The petitioner was not appointed by respondent-Institute against a sanctioned post and post 2017, it was manpower agency which engaged him.

4. In the wake of aforesaid facts and circumstances, this Court, at this belated stage, does not find it appropriate to direct the respondent-Institute to engage the petitioner.

5. Dismissed.

6. It is made clear that dismissal of this petition would not inhibit the respondent-Institute as well as manpower agency from considering the candidature of the petitioner while making fresh appointments on contract basis.

(JAGMOHAN BANSAL)
JUDGE

11.01.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>