



CWP-27667-2019 (O&amp;M)

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

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CWP-27667-2019 (O&M)  
Date of Decision :21.05.2024

Seema

...Petitioner

Versus

State of Harana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Sankalp Gehlawat, Advocate for the petitioner.

Mr. Vibha Tewari, AAG, Haryana.

Mr. Ravinder Hooda, Advocate for respondent No.6.

Mr. Rajesh Kumar Sawariya, Advocate for  
Mr. J.S. Dahiya, Advocate for respondent No.7.

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

In the present petition, grievance of the petitioner is that the services of the petitioner, who was appointed as Assistant Technology Manager by respondent No.6 i.e. private agency has been terminated and she has been replaced by respondent No.7, which is not permissible.

Learned counsel for the respondents submits that present petition is not maintainable as there is no master and servant relationship between the petitioner and the respondent-State and concededly, the petitioner is an employee of respondent No.6, which is a private agency, hence, keeping in view the judgment of this Court in CWP-12274-2020

**titled as Kumar Sourabh and others vs. State of Haryana and others,**



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**decided on 30.09.2020**, present writ petition is not maintainable.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is a conceded fact that the petitioner was appointed through a private agency on contract basis. There is no master and servant relationship between the petitioner and the respondent-State and the petitioner is being paid salary by a private agency only.

That being the factual position, keeping in view the judgment of this Court in **Kumar Sourabh (supra)**, no writ petition lies against a private agency.

Learned counsel for the petitioner has not been able to rebut the facts noticed hereinbefore as well as the settled principle of law qua the maintainability of the present petition.

Keeping in view the above, present petition is dismissed but with liberty to the petitioner to avail an appropriate remedy for the redressal of her grievance before the Civil Court or before any other forum where the issue can be raised.

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

**May 21, 2024**  
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**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned :* Yes/No

*Whether reportable :* Yes/No