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

**CWP-10782-2020(O&M)
Date of decision : 17.07.2025**

Gurjeet Singh

..Petitioner

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH
NALWA**

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, Advocate for respondents
No.1, 3 to 5.

Mr. Amitabh Tewari, Advocate (through video
conferencing) for respondent No.2.

DEEPINDER SINGH NALWA, J. (Oral)

In the present writ petition, the petitioner is praying for issuance of a writ in the nature of Certiorari for quashing of the order dated 11.06.2020 (Annexure P-6) vide which, services of the petitioner were terminated.

2. Learned counsel for the petitioner submits that in pursuance of the recommendation dated 04.03.2020 (Annexure P-3) taken by the Punjab State Power Corporation Limited (hereinafter to be referred as 'PSPCL'), services of the petitioner have been terminated. He submits that a perusal of the above said decision/recommendation would show that there is an allegation against the petitioner that he demanded Rs.30,000/-. He submits that abovesaid recommendation of the respondent recommending termination of the petitioner amounts to



punishment. As such, it was obligation on the part of respondents to hold an inquiry before passing the order of termination.

3. I have heard learned counsel for the parties at length and perused the paper-book.

4. A perusal of the facts of the present case would show that the petitioner was appointed by respondent No.2 vide order dated 01.08.2018 i.e. COSYN Ltd. Patiala, which is a private entity. Even the order of termination which is under challenge in the writ petition has also been issued by respondent No.2.

5. It is a well settled law now that the writ against a private entity/outsourcing agency, is not maintainable. Since respondent No.2 is not an instrumentality of the State, therefore, the appointment offered by such private entity/agency would not constitute a civil post. Law in this regard is well settled in the judgment passed by the Division Bench of this Court in ***LPA No.469 of 2013 titled Nishan Singh and others Vs. State of Punjab and others, along with other connected appeals, reported as 2014 (11) RCR (Civil) 262***, wherein it has been held that a service provider is not an agency of the State to make the recruitment against the civil posts, therefore, the writ petition itself is not maintainable. To the same effect is the judgment of Co-ordinate Bench of this Court in ***CWP No.19762 of 2018 titled Vikash Vs. State of Haryana and others, decided on 11.12.2019***, wherein it has been held that no writ petition would lie against an outsourcing agency, being a private entity which is not an authority in terms of the Article 12 of the Constitution of India. Similar view has also been taken by the Co-



ordinate Bench of this Court in *CWP No.25061 of 2022* titled *Manpreet Kaur Vs. State of Punjab and others*; *CWP No.26993 of 2022* titled *Parminder Pal Kaur Vs. State of Punjab and others* and *CWP No.27336 of 2022* titled *Gurvinder Singh Vs. State of Punjab and others*, decided on 20.01.2024.

7. There is no dispute in regard to the status of respondent No.2 being a private entity. Since the writ petition against the private entity is not maintainable, therefore, no case is made out in favour of the petitioner and accordingly the present writ petition is dismissed. However, if the petitioner is having any other legal right against respondent No.2, this order shall not preclude the petitioner from taking recourse to appropriate remedies available to him, in accordance with law.

8. In view of the observations made hereinabove, the present petition is dismissed.

18.07.2025

d.gulati

(DEEPINDER SINGH NALWA)
JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No