



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-12304-2020 (O&M)

Date of decision: 22.04.2025

Surender Kumar

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- None for the petitioner(s).

Mr. Tapan Kumar, DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant writ petition has been filed by the petitioner for seeking directions to the respondents to allow him to resume work pursuant to the letter dated 21.06.2019 regarding handing over the charge of One Stop Centre (OSP), Mahendergarh to the old staff.

Written statement on behalf of respondents No.1 to 4 had been filed on 09.08.2021, wherein a specific preliminary submission had been made that the petitioner was deployed by the SLV Security Services Pvt. Ltd. in office of OSP, Mahendergarh and he joined duty on 28.11.2017. A service agreement was executed between the Women & Child Development Department & SLV agency on 01.08.2017 for providing manpower and the contract expired on 31.07.2018. Since, the petitioner was engaged under Part-I of the Outsourcing Policy through SLV agency, hence, he was an



employee of the said agency and not of the Department. Services of the petitioner were discontinued due to completion of period of tenure and that the protection of the statute or the letter in question would not extend to the petitioner. He contends that the petitioner has placed reliance on the order dated 21.06.2019 which had been passed consequent to the order dated 24.01.2019 passed in CWP-2038-2019. The said writ petition having already been dismissed on 20.02.2019, hence, the order which has been passed pursuant to an interim order in the said writ petition would not be enforceable any further. It is also averred that the petitioner not being an employee of the respondent-Department, the writ petition would not be maintainable.

It is noticed by this Court that after filing of the reply, the writ petition was taken up on 07.09.2022, when counsel for the petitioner sought time to complete instructions and to file replication, if any. The hearing of the matter was adjourned to 07.12.2022, on which such date counsel for the petitioner again sought time. The matter was adjourned to 06.03.2023, however, as the matter could not be taken up, hence, it was adjourned by order. On the resumed date of hearing i.e. 15.04.2024, there was no representation on behalf of the petitioner. In the interest of justice, the matter was adjourned to 18.07.2024, on which such date a written request for an adjournment was circulated by counsel for the petitioner. The hearing was again adjourned to 24.10.2024. A written request for an adjournment was circulated yet again by counsel for the petitioner and the matter was posted for today, however, today also a written request for an adjournment has been



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circulated by counsel for the petitioner. It seems that the counsel for the petitioner is not interested in arguing the present matter and is only deferring final adjudication.

No replication to the written statement or objection taken therein has been filed, even though a period of nearly 04 years has elapsed since then. The written request for adjournment is thus declined being an attempt to delay the final adjudication of a matter which is pending before this Court for the last five years.

The instant petition is dismissed for non-prosecution.

(VINOD S. BHARDWAJ)
JUDGE

22.04.2025
Mangal Singh

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