



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

120

CWP-15696-2026

Date of decision: **19.05.2026**

Chaand Singh

.....Petitioner

VERSUS

State Of Punjab And Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Harshmir Kaur Swaitch, Advocate
for the petitioner.

Ms. Pratibha Bali, AAG Punjab.

Ms. Kavita Arora, Advocate
for respondents No.4, 5 and 6.

HARPREET SINGH BRAR, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of an appropriate writ, order or direction in the nature of *certiorari* for quashing the resolution dated 14.10.2025 (Annexure P-10), whereby the services of the petitioner working as Project Manager were terminated/removed merely after one and a half months of joining, and further for quashing the order dated 08.05.2026 (Annexure P-18), whereby the Empowered Committee rejected the claim of the petitioner without assigning any proper reasons. The petitioner has



further sought issuance of a writ in the nature of *mandamus* directing the respondent-department, Municipal Corporation, Patiala, to allow the petitioner to join on the same post with continuity of service and to release the arrears of salary along with interest, as the petitioner has remained unemployed during the said period and the respondents did not permit the petitioner to join duties despite the *status quo* order passed by this Court.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was appointed as Project Coordinator/Project Manager in the Municipal Corporation, Patiala. The appointment was made by the Municipal Corporation, Patiala, after an interview conducted by a Committee comprising three senior officials of the Government of Punjab, as is discernible from Annexures P-7 and P-8. On 14.10.2025, the Mayor of Municipal Corporation, Patiala, orally restrained the petitioner from discharging his duties, Annexure P-9, and on the same day, the General House of Municipal Corporation, Patiala, passed Resolution No.115 regarding the removal of the petitioner, Annexure P-10. Thereafter, the petitioner submitted a joint representation dated 16.10.2025 to the Commissioner, Municipal Corporation, Patiala, Annexure P-11. Subsequently, vide letter dated 24.10.2025, the Commissioner confirmed the termination of the petitioner, Annexure P-12. Learned counsel submits that no reason whatsoever was assigned and no notice or opportunity of hearing was afforded to the petitioner before passing the impugned action.



2.1. It is further contended that the petitioner approached this Court by filing ***CWP No.32622 of 2025***, which was disposed of on 03.11.2025 with a direction to the Empowered Committee to decide the matter within a period of three months, Annexure P-13. Two other similarly situated employees also filed ***CWP No.35182 of 2025***, which was disposed of on 27.11.2025, and their application seeking *status quo* was allowed on 08.12.2025, Annexures P-14 and P-15. However, the claim of the petitioner came to be rejected by the Empowered Committee vide order dated 08.05.2026, i.e. after a delay of almost six months, Annexure P-18. The petitioner has also filed a contempt petition, which is pending consideration before this Court.

3. Notice of motion.

4. Ms. Kavita Arora, Advocate has filed memo of appearance on behalf of respondents No.4 to 6, which is ordered to be taken on record. Registry is directed to place the same at an appropriate place. Learned counsel for the respondent-Corporation submits that the appointment of the petitioner was illegal and was not made by the competent authority. It is further contended that the services of the petitioner were engaged through an outsourcing agency, which has not been impleaded in the present petition. Learned counsel further submits that the petitioner has also suppressed material facts while filing the earlier writ petition before this Court. It is argued that, in compliance with the directions issued by this Court, the



Empowered Committee duly examined the matter and passed a detailed and reasoned order, as discernible from the impugned order dated 08.05.2026 (Annexure P-18).

5. Having heard the submissions advanced by learned counsel for the parties and upon perusal of the record with their able assistance, it transpires that the petitioner was engaged through M/s S.S. Service Provider for a period of one year and his services were utilized by the Municipal Corporation on the basis of the decision of the Finance and Contract Committee (F&CC). In the meantime, the employees' union of the concerned Municipal Corporation raised objections that the appointment of the petitioner and the salary being paid to him were contrary to the rules. Thereafter, the General House of the Municipal Corporation examined the entire issue threadbare and passed Resolution No.115 dated 14.10.2025, revoking the decision taken by the Finance and Contract Committee (F&CC). Immediately thereafter, the outsourcing agency was informed that the petitioner, along with all Project Managers and Assistant Project Managers supplied by it, stood relieved with immediate effect.

6. This Court had directed the Empowered Committee to examine the claim raised by the petitioner in the writ petition, which was duly considered, and the claim of the petitioner was rejected on the following grounds:-



“1. The Finance and Contract Committee (F&CC) decision/resolution No. 62 dated 06.05.2025 is beyond its power given under Section 42(4) of the Punjab Municipal Corporation Act, 1976.

2. The General House of the Municipal Corporation, Patiala vide its resolution No. 115 dated 14.10.2025 has taken a decision to terminate the service of the Petitioners, which is justified under Section 71(5) of the Punjab Municipal Corporation Act, 1976 being the competent authority.

3. The petitioners have been taken through an outsource Company M/s SS Services Provider and there is no direct employer-employee relationship of Municipal Corporation with the petitioners regarding their appointment or their termination.”

7. In view of the above, this Court finds no merit in the arguments raised by learned counsel for the petitioner. Accordingly, the present petition is hereby dismissed.

8. Pending miscellaneous application(s), if any, shall stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

19.05.2026

parul verma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No