

(2017) 09 UK CK 0012
In the Uttarakhand High Court
Case No : 2593 of 2017

Gurdeep Singh

APPELLANT

Vs

Indian Institute of Remote Sensing & another

RESPONDENT

Date of Decision : 12-09-2017

Acts Referred:

Citation : (2017) 09 UK CK 0012

Hon'ble Judges : Manoj K. Tiwari

Bench : Single Bench

Advocate : Amish Tewari, Pankaj Chaturvedi

Final Decision : Disposed

Judgement

1. According to the petitioners, they were engaged as Data Entry Operator-cum-Computer Operator in Indian Institute of Remote Sensing, Dehradun (in short "IIRS") and they have been serving in the said capacity since last several years. It is the contention of petitioners that they possess all requisite qualification for regular appointment on the post of Data Entry Operator-cum-Computer Operator, but the respondents are not making regular appointment, as they have engaged petitioners through outsourcing.

2. Grievance of the petitioners is that their services have been orally terminated w.e.f 22.06.2017, without any notice or opportunity. It is further the contention of petitioners that the work is perennial in nature. Moreover, Purchase &

Store Officer in IIRS had written a letter dated 10.01.2017 to the Head, Personnel & General Administration, IIRS, Dehradun stating that service of Data Entry Operator-cum-Computer Operator are urgently needed in the Department. Thus, according to learned counsel for the petitioner, termination of services of the petitioners is unjust and uncalled for.

3. Mr. Pankaj Chaturvedi, learned counsel for respondent No. 1, on the other hand, submits that the petitioners are outsourced employee, who were engaged

through contractor and since the term of contract was coming to an end on 30.06.2017, therefore, concerned contractor discontinued the services of the petitioners. Thus, according to him, it is not a case of termination of services, but discontinuance of services, due to expiry of contract. He further submits that now contract for supply of manpower has been awarded to the new contractor.

4. Learned counsel for the petitioners confines his prayer and submits that Competent Authority be directed to look into the matter and take appropriate decision.

5. Accordingly, the writ petitions are disposed of with liberty to petitioners to make representation(s) to the Director, Indian Institute of Remote Sensing, ISRO, DOS, Government of India, Dehradun within ten days from today. If such a representation is made, the Director shall look into the matter and pass a reasoned and speaking order, in accordance with law, within a period of four weeks thereafter.