



2026:PHHC:045949

2026:PHHC:045949



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

111

CWP-8938-2026

Date of Decision : **March 24, 2026**

SHALU AND OTHERS

.....Petitioners

VERSUS

UT CHANDIGARH AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present : Ms. Shelika, Advocate for the petitioners.

DEEPINDER SINGH NALWA, J. (Oral)

1. In the present writ petition, the petitioners have challenged the action of the respondents whereby the services of the petitioners were terminated.

2. The petitioners were outsourced employees working on the post of Sweepers/Security Guards/Safai Karamchari/MTS at Government Multi-Specialty Hospital, Sector-16, Chandigarh. It transpires that the services of the petitioners were terminated by the Contractor/Service Provider in the year 2023. The petitioners submitted various representations challenging the above stated action of the Contractor/Service Provider. It was the case of the petitioners that they should be re-instated in service. No decision was taken on the representation submitted by the petitioners. Aggrieved against the action of the Contractor/Service Provider in terminating the services of petitioners, the petitioners have approached this Court by way of filing the present writ petition.



3. Notice of motion.

4. Ms. Madhu Dayal, Senior Standing Counsel with Mr. Gurnoor Singh Sethi, Junior Panel Counsel for UT, Chandigarh accepts notice on behalf of the respondents.

5. Learned counsel appearing on behalf of the petitioner submits that the action of the Service Provider/Contractor in terminating the services of the petitioners after working for a long period is illegal, as no notice or opportunity of hearing was given to the petitioners before their services were terminated.

6. On the other hand, learned counsel appearing on behalf of the respondents submits that the petitioners were never the employees of the respondents. In fact, the petitioners were employees of Contractor/Service Provider and there is no relationship of Master and Servant between the petitioners and the respondents, as such, no relief can be claimed from the respondents. It is also the case of the learned counsel appearing on behalf of the respondents that the writ petition is not maintainable against the outsourcing agency/Contractor being a private entity.

7. I have heard the learned counsel for the parties at some length.

8. A perusal of the facts of the present case would show that there is no dispute that the petitioners were employed by the Service Provider/Contractor and were working as Sweepers/Security Guards/Safai Karamchari/MTS at Government Multi-Specialty Hospital, Sector-16, Chandigarh. It is well settled law that the writ petition is not maintainable against the outsourcing agency/Contractor being a private entity. Further perusal of the facts of the present case would also show that



CWP-8938-2026

-3-

Contractor/Service Provider is also not made party in the present case. Reliance is placed on the judgment of the Co-ordinate Bench of this Court passed in CWP-22534-2020 titled as “**Sarabjit Kaur Vs. State of Punjab and others**”, **decided on 25.01.2021**, wherein it is held that the writ petition is not maintainable against the Contractor/Outsourcing Agency being a private entity. The abovesaid law is squarely applicable in the present case as it is an admitted fact that the petitioners were outsourced employees.

9. Keeping in view the abovesaid facts, the present writ petition is dismissed being held not maintainable. It is made clear that the petitioners will be at liberty to avail alternate remedy available to them before appropriate forum in accordance with law.

10. Pending application(s), if any, also stand disposed of accordingly.

March 24, 2026
ajaysharma

(DEEPINDER SINGH NALWA)
JUDGE

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