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

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Date of Decision: 05.08.2025

Pyara Singh and others

...Petitioners

Versus

Municipal Corporation, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Barjesh Mittal, Advocate for the petitioners
(*through video conferencing*)

Mr. Manbir Singh Bath, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondents not to dispense with their services or follow principle of '*first come last go*' or '*last come first go*'.

2. The petitioners are Class IV employees. They are working as Tubewell Operators with Municipal Corporation, Chandigarh ('MC') through Outsourcing Agency. They are working since 2006. MC on the ground of financial constraints has decided to reduce its workforce by 50%. The tender of respondent No.7 to 10 which are Outsourcing Agencies has been approved.

3. Learned counsel for the petitioners submits that Outsourcing Agencies, at the behest of MC Authorities, are retaining employees who joined few months back and retrenching those who joined during 2006-10. The discrimination is writ large.



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4. On being asked, learned counsel for the petitioners concedes that alternative remedy to approach Labour Court is available, however, he submits that the said remedy is not efficacious because petitioners are going to be retrenched within few days.

5. Mr. Manbir Singh Bath, Advocate, who on advance notice is present in Court on behalf of the respondents submits that there is no interference of MC Authorities and it would be ensured that decision to retain or retrench is independently taken by the Outsourcing Agencies.

6. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

7. The petitioners have been engaged through Outsourcing Agencies. They are not employees of MC. This Court cannot ask Outsourcing Agencies to adopt particular manner or method while retaining or retrenching former employees. The MC Authorities may, if deem convenient, form some policy, however, this Court cannot issue any direction in this regard because no fundamental or vested right of the petitioners is involved.

8. In the wake of above discussion and findings, the present petition stands disposed of with liberty to the petitioners to avail remedy as permissible by law.

(JAGMOHAN BANSAL)
JUDGE

05.08.2025

Mohit Kumar

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