



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

205 (5 cases)

Date of Decision: 13.08.2025

(1)

CWP-22631-2020

Union of India and others

...Petitioners

Versus

Srikant Kumar Viswakarma and others

...Respondents

(2)

CWP-18399-2021

Union of India and others

...Petitioners

Versus

Pooran Mal Saini and others

...Respondents

(3)

CWP-22564-2020 (O&M)

Union of India and others

...Petitioners

Versus

Ravinder Singh and others

...Respondents

(4)

CWP-17656-2021

Union of India and others

...Petitioners

Versus

Bhim Parkash Suman

...Respondent

(5)

CWP-17665-2021

Union of India and others

...Petitioners

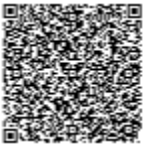
Versus

Amit Kumar Srivastava and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Ms. Puneeta Sethi, Senior Panel Counsel, with
Mr. Y.S. Thakur, Advocate, for the petitioners.



Mr. Shlok Dalal, Advocate,
Mr. Ankit Grewal, Advocate for
Mr. Vaibhav Jain, Advocate for respondents No.5, 9, 11 and 12
(in CWP-22564-2020); for respondents No.1, 2, 4, 6, 8 to 10,
19, 20, 22 to 28, 34 to 39, 42 to 45, 47, 48, 50 to 59, 61 to 67,
69 to 78, 80 to 89, 91, 94 and 96 to 101 (in CWP-22631-2020)

HARSIMRAN SINGH SETHI, J. (ORAL)

1. By this order, we propose to dispose of the aforesaid five writ petitions (the details of which are mentioned in the heading) by a common order, as the issue involved in these writ petitions is the same.
2. In these writ petitions, the challenge is to the order dated 19.12.2019 (Annexure P-1) passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as 'Tribunal'), by which, Union of India was given a direction that in case the posts against which the respondents were working, are required to be filled-up, the first preference be give to them.
3. Learned counsel for the petitioners argues that the petitioners are not filling up the posts, as the workforce has been outsourced through the Government-e-Marketplace (hereinafter referred to as 'GeM') portal, which portal hires some agency for the supply of the workforce to the required department. Learned counsel submits that in case the respondents are recommended through the said portal by the agency, which has been allotted work, there will be no problem in adjusting the respondents, if they are found fit and eligible to perform the duties.
4. Learned counsel for the respondents submits that the



respondents will be satisfied in case, the GeM portal which select the outsourcing agency in case any requisition is sent by the Government for the supply of the workforce, the said selected agency is directed to consider the respondents for posting with the respective department in case they find the respondents suitable for the post in question in preference to the other candidates.

5. We have heard learned counsel for the parties and have gone through the record with their able assistance.

6. The only objection being taken by the learned counsel for the petitioners is that they are not directly recruiting anyone and even on the outsourcing basis, an outsourcing agency is selected through GeM portal, which is done through online portal, which selected outsourcing agency forwards the workforce to perform the duties.

7. Keeping in view the fact that the respondents had worked for a considerable long time with the petitioners and in order to secure their interest also, the GeM portal agency is directed that whichever outsourcing agency is selected in case any requisition is received from the Department of Labour Bureau and any outsourcing agency is identified, the said outsourcing agency will be directed to consider the claim of the respondents herein first to be sent to work in respect of the requisition so received from the Department of Labour Bureau, in case the respondents are found fit and eligible to perform the duties on such posts, before considering the claim of any other person. The work will be allowed to such agency by incorporating



the condition, which has been mentioned in this order.

7. The writ petitions are disposed of with above directions.
8. Pending application(s), if any, also stands disposed of.
9. Photocopy of this order be placed on the files of connected cases.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

August 13, 2025
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Whether speaking/reasoned	Yes
Whether reportable	Yes