

HIGH COURT OF JUDICATURE FOR RAJASTHAN  
AT JODHPUR.S.B.

Civil Writ Petition No. 17884/2019

1. Om Prakash Vyas S/o Hari Narayan Vyas, Aged About 39 Years, R/o Near Tanwar Builder, Antyodaya Nagar, Bikaner, Rajasthan.
2. Ramesh Meerwal S/o Shri Ramji Lal Meerwal, Aged About 40 Years, R/o B-85, Mahesh Nagar, Jaipur, Rajasthan.
3. Abhishek Bhardwaj S/o Shri Yogendra Kumar Sharma, Aged About 33 Years, R/o B-3-445, Sudarshan Nagar, Bikaner, Rajasthan.
4. Gulab Singh Sisodia S/o Shri Gulab Singh, Aged About 41 Years, R/o Billiyoun Ka Guda, Post Isarwas, Tehsil Salumber, District Udaipur, Rajasthan.-----Petitioners

Versus

1. State Of Rajasthan, Through Principle Secretary Department Of Local Self Government, Secretariat, Jaipur.
2. Director, Local Self Government Department, Government Of Rajasthan, G-3, Rajmahal Residential Area, C-Scheme, Near Civil Lines Phatak, Jaipur 16 Rajasthan.
3. Nagar Parishad Jalore, Through Its Commissioner, Jalore, Rajasthan.

4. Nagar Nigam Bikaner, Through Its Commissioner,  
Bikaner, Rajasthan.

5. Nagar Parishad Banswara, Through Its  
Commissioner, Banswara, Rajasthan.----Respondents

For Petitioner(s) : Mr. S.S. Choudhary For Respondent(s):  
HON'BLE MR. JUSTICE ARUN BHANSALI Order 03/12/2019 This writ petition has been filed by the petitioners seeking a restraint against the respondents from terminating the services of petitioners from the post in question and replacing the petitioners from another set of contractual employees in Deendayal Antyodaya Yojna– National Urban Livelihoods Mission ('DAY-NULM'). It is, inter alia, indicated in the writ petition that the Scheme in question was re-structured in 2014-15 and was renamed as indicated hereinbefore. For the purpose of manning various posts including post of Manager, one T&M Services Consulting Private Limited was engaged by the respondents. The petitioners applied for the same and were appointed vide order dated 03.09.2015 for a period of one year. However, extension has been granted to them time and again. It is submitted that now the respondents have issued notices inviting bids dated 08.03.2019 (Annexure-6) for short listing of HR Agencies as service provider for implementation of DAY-NULM. Submissions have been made that the process of engaging placement agencies is an attempt to create an artificial barrier between the government and the petitioners and the engagement of placement agencies by the respondents for the purpose indicating in Annexure-6 is not justified. Reliance has been placed on judgment of Hon'ble Supreme Court in Mohd. Abdul Kadir & Anr. v. DGP, Assam & Ors. : (2009) 6 SCC 611. Learned counsel for the petitioners made submissions seeking to question validity of issuing the notice inviting bids dated 08.03.2019 based on the submissions as

indicated in the writ petition. After going through the record of the writ petition, learned counsel was put a query as to the cause of action for approaching this Court, as in the entire writ petition not a word has been indicated regarding the trigger for approaching this Court. Merely because the notice inviting bids has been issued ipso facto cannot provide any cause of action to the petitioners. For challenging the notice except for referring to the judgment in the case of Mohd. Abdul Kadir (supra), nothing has been indicated in the writ petition so as to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. In view of the above, no case for interference in the present writ petition is made out, the same is, therefore, dismissed. (ARUN BHANSALI),