

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

CWP No.1208 of 2013  
Date of decision: 25.05.2015

Jasvir Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Gurjit S. Latheri, Advocate, for the petitioner.

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1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

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**ARUN PALLI J.** (Oral)

Writ in the nature of mandamus is prayed for so as to direct the respondents to permit the petitioner to continue in service till the post is filled up by regular incumbent. It is averred that the petitioner was engaged as a Guest Faculty Lecturer in Punjabi with respondent-College for academic sessions 2007-08, 2008-09 & 2009-2010. And he wants to continue for the academic session 2012-13. Concededly, the nature of employment of the petitioner was contractual and the last such contract came to an end on 28.02.2010. The petitioner was not engaged any further for the academic session 2010-2011 and even thereafter. The petition in hand was preferred on 21.01.2013, after almost 3 years. In brief, what is set out in the written statement filed by the State, reveals that as per the regulations of the Government, only

those candidates could be appointed as Lecturers, who possess the qualification and qualifying marks at Post Graduate level and good academic record i.e. 50% marks at Graduation level. Since the petitioner possess only 45.8% (1099/2400) marks in his Graduation, thus, he did not possess a good academic record. Accordingly, he was not eligible to be appointed as Lecturer. Further, the Government instructions postulate 50% marks at the Graduation level, which are mandatory. The said position has neither been controverted by filing any replication nor even during the course of hearing by learned counsel for the petitioner. Nothing could be pointed out as to how once the contract of employment, vide which the petitioner was engaged as Guest Faculty Lecturer, had come to an end with efflux of time as back as on 28.02.2010, he still have a legally enforceable right to be appointed or continue.

In the wake of the position as set out above, no interference in exercise of extraordinary jurisdiction under Article 226 of the Constitution is warranted. The petition being devoid of merit is accordingly dismissed.

May 25, 2015  
Rajan

**( Arun Palli )**  
**Judge**