

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

**CWP No.21580 of 2015
Dated of Decision: 08.10.2015**

Bhagat Singh

-----Petitioner

Vs.

Pt. B.D. Sharma University of Health Science, Rohtak

-----Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Vivek Suri, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

On 28.01.2014 the petitioner was appointed as driver with respondent-University. The appointment was on D.C. rates for a period of 6 months or till regular appointee joins, whichever is earlier. It was a stop gap arrangement against the sanctioned vacant post of driver in PGIMS Rohtak. Thereafter, the contractual appointment/ engagement of the petitioner was extended vide order dated 28.07.2014 (Annexure P-5). Vide impugned order (Annexure P-7), he was ordered to be relieved on 30.09.2015.

The contention of the learned counsel for the petitioner is that the vacant post of drivers are available and the petitioner be permitted to continue on the post till the regular appointee joins. This contention of learned counsel for the petitioner cannot be accepted because his appointment in the first instance was not pursuant to any advertisement issued by the respondent-University.

As per the averments in the writ petition, the petitioner had submitted an application on 28.01.2014, which was accepted and he was engaged on contractual basis as a stop gap arrangement. In the backdrop of the manner of his initial appointment, which is clearly a case of appointment through the backdoor, no right inheres in the petitioner to continue till a regular appointment is made.

Accordingly, there is no merit in the instant writ petition and the same is dismissed.

(Harinder Singh Sidhu)
Judge

08.10.2015
Atul