

Civil Writ Petition No. 25861 of 2015 (O&M)

Date of decision : December 10, 2015

Navjot Singh and others

.....Petitioners

Versus

Maharaja Ranjit Singh State Technical University

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.R.K. Chopra, Senior Advocate with
Ms. Ekta Thakur, Advocate
for the petitioners.

LISA GILL, J.

Prayer in this writ petition is for regularisation of services of the petitioners as Assistant Professors as well as restraining the respondents from making fresh selections for the posts held by them.

Further prayer is for staying the process of selection pursuant to advertisement, Annexure P-9.

Admittedly, petitioners were appointed on the post of Assistant Professor by respondent-University on purely temporary basis for a period of 11 months. Appointment letter of one of the petitioners is annexed as Annexure P-6. It is clearly mentioned therein that appointment is on purely temporary basis for the academic session 2015-16 for 11 months i.e. up to 30.06.2016 or till posts are filled on regular basis whichever is earlier. Advertisement

dated 16.07.2015 (Annexure P-4) issued for filling up the said posts clearly stipulates that appointment to the said post shall be on temporary basis for 11 months or till posts are filled on regular basis. Now respondent-University has issued a fresh advertisement, Annexure P-9, for filling up teaching and non-teaching positions on regular basis.

Contention of learned senior counsel that some of the petitioners have been working on contract basis for the last 2-3 years, therefore, their services should be regularised instead of filling the vacancies on regular basis by way of fresh advertisement is devoid of any merit as it was made clear at the very outset by the University that said posts would be filled up on temporary basis for a stipulated period or till the posts are filled on regular basis. At this stage, University has taken a decision to fill up these posts on regular basis.

No vested right accrues to the petitioners by way of their selection and appointment to the posts of Assistant Professor on temporary basis. Fact that they had undergone proper selection procedure cannot clothe them with any right for regularisation of their services. There is no bar whatsoever on the respondent-University for filling up the said posts on regular basis.

At this stage, learned senior counsel submits that preference as may be provided under the regulations be provided to the petitioners in case they apply for regular appointments.

Petitioners undoubtedly have a right to compete in open market for

regular appointment on the said posts in accordance with applicable rules and regulations.

Consequently, no ground is made out for any interference by this Court.

Writ petition is, accordingly, dismissed.

December 10, 2015
rts

(Lisa Gill)
Judge