IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P No. 1022 of 2015

DATE OF DECISION: 21.07.2016

Gagandeep Kumar and others .....Petitioners

Versus

State of Punjab and others .....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. L.S. Sidhu, Advocate
for the petitioners.

Mr. Anshul Gupta, AAG, Punjab.

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DAYA CHAUDHARY, J.

The case of the petitioners in the present petition is that they are working against their respective posts since 2009-2010 but now they are apprehending that they are going to be replaced by other contractual employees.

Learned counsel has also relied upon the judgments of this court in **Sarjinder Singh and others Vs. State of Punjab and others** (C.W.P. No. 3613 of 2011, decided on 30.8.2011), **Muskan Bhatia and others Vs. State of Punjab and others** (C.W.P. NO. 26116 of 2012, decided on 21.12.2012), **Deepinder Kaur and others Vs. State of Punjab and others** (C.W.P. No. 7113 of 2012, decided on 20.7.2012), **Nitin Khurana and others Vs. State of Punjab and others** (C.W.P. NO. 2206 of

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2012, decided on 6.2.2012) and **Anchal Goyal and others Vs. State of Punjab and others** (C.W.P. No. 5256 of 2012, decided on 21.3.2012), in support of his case.

Nothing is there on record to show that the petitioners are going to be replaced with other contractual employees. Even in the written statement, an objection has been raised that the petitioners have no right over the posts. Merely an averment has been made in the petition that the petitioners may be replaced with other contractual employees.

Admittedly, in response to the advertisement/public notice issued by the respondents, the petitioners were engaged on contract basis for one academic session and they were allowed to continue for the last approximately five years. As on today, there is nothing on record to show as to whether any advertisement has been issued or not for replacing the petitioners with other contractual employees. No intimation has been sent to any candidate, which shows that the petitioners are going to be replaced. It is only an apprehension that the petitioners are going to be replaced.

Accordingly, the present petition is disposed of with a direction to the respondents that in case new/fresh advertisement is to be issued then case of the petitioners be considered on priority as they are working on their respective posts for the last approximately five years.

However, it is made clear that without considering the petitioners or issuing any public notice, the petitioners be not replaced by other contractual employees.

Disposed of accordingly.

July 21, 2016 **(DAYA CHAUDHARY)**
pooja **JUDGE**

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