

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

CWP-16760 of 2016
Date of decision: 19.08.2016

Ms. Chhavi Singhal

.....Petitioner

versus

State of Haryana and Others

.....Respondents

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr. Sanjay Mittal, Advocate for the petitioner.
Mr. Deepak Grehwal, DAG, Haryana.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

The petitioner was appointed on ad hoc basis in the year 2013 by respondent No.4 District and Sessions Judge-cum-Chairman, District Legal Services Authority, Gurgaon, after undertaking written examination and typing test. Since then, the petitioner is working as Clerk on ad hoc basis. Thereafter, the District Judge requested the Central Recruitment Agency of the High Court for making regular appointments.

The grouse of the petitioner is that on account of the regular appointments, she is facing threat of termination. The petitioner had earlier approached this Court by filing CWP No.5095 of 2016 in which, this Court vide order dated 06.04.2016 directed the State Government to pass appropriate order on the recommendation made by Haryana State Legal Services Authority, within three months regarding regularization of service of the petitioner.

The contention of the learned counsel for the petitioner is that the no order has been passed regarding regularization and now the petitioner has been relieved on account of appointment of a regular Clerk.

I am of the view that this Court has consistently taken the view that the backdoor entry in the service cannot be allowed by making the ad hoc appointment and then making it regular. The Central Recruitment Agency of the High Court advertised the posts for regular appointment and a competitive examination was held. The petitioner could appear in that examination and qualify for regular appointment. Merely on the basis that she was appointed on ad hoc basis by the Chairman, District Legal Services Authority, Gurgaon, is no ground to allow him to be regularized against a regular vacancy. The petitioner has to qualify in the open competition and seek the selection. Therefore, there is no illegality or infirmity in the order relieving the petitioner on the appointment of regular appointee.

Resultantly, the present writ petition is dismissed.

19.08.2016
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes/ No
Yes/ No