

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 20314 of 2016 (O&M)

Date of Decision: 28.09.2016.

Preeti and others

--Petitioners

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Dalbir Singh, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J

Counsel submits that petitioners no.1 and 4 were engaged as Extension Lecturers in the subject of English purely on contractual basis with the respondent-Govt. College, Naraingarh (Ambala). Likewise, petitioners no.2 and 3 were also engaged as Extension Lecturers on contractual basis in the subject of Commerce.

The instant petition is founded on an apprehension that in pursuance to an advertisement dated 24.9.2016 (Annexure P-2) having been published, walk-in-interviews have been fixed for 27.9.2016 and 28.9.2016 to engage Extension Lecturers in different subjects including the subjects of English and Commerce on contractual basis and the petitioners would be replaced.

Counsel would argue that such course of action is not permissible in law and one set of contractual employees cannot be replaced by another similar arrangement.

Having heard counsel for the petitioners at length and having perused the pleadings on record, this Court is of the considered view that the grievance put forth in the instant petition is misplaced.

During the course of arguments, it has been conceded that the petitioners herein do not possess the requisite qualifications for the post in question. Perusal of the advertisement appended and placed on record at Annexure P-2 dated 24.9.2016 would clearly reveal that eligible candidates and who possess qualifications as per U.G.C norms are eligible to participate in a walk-in-interview slated for 27/28.9.2016.

No infirmity can be found in the action of the respondent college, if, they seek to displace the petitioners by another set of contractual employees, who may, otherwise, be qualified as per U.G.C norms.

Under such circumstances, no interference is warranted.

However, it is clarified that it would not be open for the respondent college to replace the petitioners herein by another set of contractual employees, who are also not qualified as per U.G.C norms. It is also made clear that it would be open for the respondent college not to grant extension to the present petitioners even in the eventuality of their work and conduct being found wanting.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

28.09.2016

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Whether speaking/reasoned: Yes

Whether Reportable: No