

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 21438 of 2016
Date of decision: 17.10.2016

Seema Rani

... Petitioner

Versus

State of Haryana & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vijay Pal, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

The petitioner is just an aspirant against an advertisement inviting applications for the employment as Extension Lecturers in the respondent-Government College. The selecting authority in its wisdom has chosen to appoint two retired teachers, who are arrayed as respondents No.4 & 5 to the petition seeking directions to nullify their appointments as Extension Lecturers. The petitioner has lost out. With these appointments, no place is left for the petitioner to be accommodated. The policy relied upon to show that the action is bad does not bar appointment of retired teachers to carry on the work of teaching in the capacity of Extension Lecturers to teach the same subjects they taught while in service. If there is no legal bar, then the choice become subjective satisfaction of the engaging authority and the Court should not interdict the verdict of the respondents by a Court direction or writ of certiorari to displace one of the two private respondents and direct appointment of the petitioner. It is not possible either to issue a certiorari or a mandamus commanding the respondents to do something that puts no legal obligation on them. A tried and tested teacher

of many years recalled from retirement to lend his helping hand may be a wise decision viewed from the point of students. The petitioner has no actionable right to the relief claimed and the respondents have no corresponding duty to consider his case for appointment as an Extension Lecturer and continue it to await regular recruitment.

Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

17.10.2016

monika

Whether speaking/reasoned *Yes*

Whether reportable *No*