

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 27379 of 2013 (O&M)

Date of Decision: 09.08.2016.

Ms. Poonam Sharma & others

--Petitioners

Versus

State of Haryana and others

--Respondents

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

Present:- Mr. S.P. Chahar, Advocate for the petitioners.

Mr. Ravi Pratap Singh, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

Counsel for the petitioners, at the very outset, states that the instant petition qua petitioner no.3 namely Rahul son of Sh. Ramesh Chander may be permitted to be withdrawn without prejudice to the rights of such petitioner that may flow from CWP No.21325 of 2014 titled as Rahul Vs. State of Haryana & others.

Prayer is allowed.

Instant petition qua petitioner no.3 Rahul son of Sh. Ramesh Chander is dismissed as withdrawn.

In so far as petitioners no.1, 2, 4 & 5 are concerned they were engaged on different posts purely on contractual basis in Govt. College for Women, Safidon, District Jind.

Present petition was instituted in the year 2013 stating that a fresh advertisement at Annexure P-4 dated 5.12.2013 had been issued and in the light thereof an apprehension was raised that the petitioners would be replaced by another similar arrangement. It was the case made out on behalf of the petitioners that such methodology is not permissible and would be

contrary to the judgement of Hon'ble Supreme Court in *Hargurpratap Singh Versus State of Punjab and others 2007 (13) SCC, 292*.

On 12.12.2013 while issuing notice of motion the respondents were restrained from filling up the posts by fresh interview in pursuance to the advertisement dated 5.12.2013 (Annexure P-4) and for which the interviews had been fixed for 16.12.2013. Liberty, however, was granted to the State/respondent authorities to move an application for recalling or modification of the interim directions in case the work and conduct of the petitioners is not satisfactory or if there be any other compelling reasons.

Placed on record is a written statement of the Principal, Govt. College for Women, Safidon, District Jind and in para 6 of the reply on merits, it has been specifically averred that the services of the petitioners have not been disengaged nor they have been replaced by similarly situated contractual appointees and the advertisement at Annexure P-4 be deemed to have been canceled.

In the light of such categorical stand taken on behalf of the respondent-Institute no further directions are required to be passed in the instant petition as nothing survives therein.

Petition is, accordingly, disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

09.08.2016
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Whether speaking/reasoned: Yes

Whether Reportable: No