

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.2124 of 2016 (O&M)

Date of Decision: 24.10.2016

Ajmer Singh

... Appellant

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

- | | |
|--|-----------------|
| 1. Whether speaking/reasoned? | <i>Yes / No</i> |
| 2. Whether reportable? | <i>Yes / No</i> |
| 3. Whether Reporters of local papers may be allowed to see the judgment? | <i>Yes / No</i> |
| 4. To be referred to the Reporters or not? | <i>Yes / No</i> |
| 5. Whether the judgment should be reported in the Digest? | <i>Yes / No</i> |

Present: Mr. Sandeep Sharma, Advocate for the appellant

SURYA KANT, J. (Oral)

CM-4406-LPA-2016

For the reasons mentioned in the application, the delay of 187 days in filing the appeal is condoned.

CM stands disposed of.

LPA-2124-2016 (O&M)

(1) The appellant was appointed as Computer Operator on contract basis. His term, which came to an end in July, 2009, was not further renewed. He approached this Court in CWP No.5044 of 2010 which was dismissed on 11.05.2011 but with an observation that if the respondents would again fill up the posts on contract basis, the claim of the appellant shall also be considered as he had worked on that post. Thereafter, the appellant filed another writ petition i.e. CWP No.19008 of 2011 which was dismissed by this Court on 17.01.2012 after taking notice of the fact that no other person had been appointed on contract basis hence his grievance was baseless.

(2) The relentless appellant filed yet another writ petition in the year 2015 challenging the requisition dated 24.12.2014 by which several posts were decided to be filled up on contract basis. The same has been dismissed observing that since the new selection process was initiated after a gap of three years, the appellant cannot seek re-employment as a matter of right merely because he had worked in the past for a short duration. He then filed a review application which has also been dismissed on 26.08.2016. The above-stated orders are now under challenge in this appeal.

(3) We have heard learned counsel for the appellant.

(4) A new ground has been taken that no salary was paid for the period he actually worked. We do not find that such a plea was taken before the learned Single Judge. If there is any such claim, he may approach the appropriate forum. Otherwise on merits, we do not find any ground to interfere with the orders passed by learned Single Judge.

(5) Dismissed.

(Surya Kant)
Judge

24.10.2016
vishal shonkar

(Sudip Ahluwalia)
Judge