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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7770/2016, CM APPL. 32124/2016 (Stay)**
ERESH KUMAR TIWARI AND ORS

..... Petitioner

Through: Mr. Rajender Yadav, Adv.

versus

STATE OF NCT OF DELHI AND ANR

..... Respondent

Through: Ms. Prabhsahay Kaur, ASC
(GNCTD)

Mr. Deeptakirti Verma and Ms. Aparna Iyer,
Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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06.09.2016

W.P.(C) 7770/2016, CM APPL. 32124/2016 (Stay)

It is the petitioners' case that they have been employed by the respondent No. 2 on contractual basis and their tenure is likely to come to an end in January, 2017.

The petitioners have impugned a recruitment notice dated 16.08.2016 whereby the 20 posts of Staff Nurse are sought to be filled through public recruitment albeit on ad hoc basis. The petitioners' employment with the Government would be governed by the terms of engagement, as included in their contract of employment. The petitioners rely upon a Government letter dated 16.02.2015 regarding engagement of contractual employees which states that services of contractual employees engaged by the departments should not be terminated till further instructions in the matter and if any

termination is likely to take place, the same should be stopped till further orders.

While the context in which the said letter was issued is unclear, nevertheless it would be applicable only in cases of termination of service and not in the cases where the tenure of the employment would come to an end by efflux of time. The petitioners' tenure of employment is stated to be till January, 2017 and there is nothing on record to show that their services are being terminated.

Apropos the relief sought in this writ petition, no case is made out for quashing the impugned recruitment notice dated 16.08.2016. The writ petition is without merit and is accordingly dismissed.

NAJMI WAZIRI, J

SEPTEMBER 06, 2016/acm