

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Writ Petition No.10140 of 2015
Decided on : 29.11.2017**

Dayanand Sheokand

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. R.S. Malik, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

G.S. Sandhawal, J. (Oral)

The petitioner challenges the order dated 12.02.2015 (Annexure P-4), whereby he was relieved from the post of an Administrative Officer, which was on contract basis.

The petitioner had been initially appointed on 01.10.2013 (Annexure P-1) for six months, which was extended on 18.03.2014 (Annexure P-2). He had approached this Court on the ground that his services had been dispensed with vide the impugned order, whereby a communication has been received by the respondent-Institute from respondent No.1 on 11.02.2014 to relieve such officers, who had been appointed on contract basis. He had resultantly approached this Court on the ground that an advertisement as such dated 30.12.2014 (Annexure P-3) had been issued, whereby one post on contractual basis of Administrative Officers was sought to be filled up.

In the reply filed by the State, it is categorically averred that the advertisement (Annexure P-3) was withdrawn, in view of the instructions received on 16.01.2015 (Annexure R-5) and directions were issued to postpone the interview, till further orders.

The appointment as such had been contractual and an agreement had been entered into by which he could be relieved without assigning any reason. The second part of the contract had also expired and, thereafter, he has been relieved. It is not disputed that the petitioner had earlier retired from services, which would be clear from Annexure R-4, whereby he had relieved from the post of Joint Secretary on attaining the age of superannuation on 04.05.2011 prior to the joining on the said post.

Resultantly, he has no legal vested right to continue on the post and services have been dispensed with as per the terms of the contract. The advertisement vide which the post was advertised, when he had approached this Court on the ground that he was aggrieved that similar appointments were being made, was ordered to be withdrawn.

In such circumstances, no valid cause of action arises for him to challenge the action of the respondents. Accordingly, the present writ petition is dismissed.

NOVEMBER 29, 2017

Naveen

Whether speaking/reasoned:

Whether Reportable:

**(G.S. SANDHAWALIA)
JUDGE**

Yes/No

Yes/No