

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12593 of 2016

Date of Decision:-08.03.2017.

Jaswant Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Balvinder S. Brar, Advocate for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. Divyadeep Walia, Advocate for respondent No.5.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, the petitioner has sought for the following relief:-

“i) Issue a writ MANDAMUS, thereby directing the respondents not to replace the petitioner with the daily wager or with the same set of employee in the absence of regular employee, on being against the established law that an ad-hoc/temporary employee cannot be replaced by another such employee till the regularly selected candidate is available and;

ii) Issue a writ in the nature of PROHIBITION, thereby prohibiting the respondents from illegally terminating the services of the petitioner, who has been working for the last more than one year, more particularly when the petitioner also fulfill the

requisite qualifications for the post and;”

The petitioner has approached this Court on apprehension. No cause of action has accrued to him so as to file the present petition. In the absence of material to show that there is a proposal for termination of the petitioner and replacing the petitioner by some other employee, petition do not survive for consideration. Hence, the petition is pre-mature.

Petition stands disposed of reserving liberty to the petitioner to approach this Court as and when his services are terminated.

(P.B. BAJANTHRI)
JUDGE

March 08, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.