

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

105

**CWP No.24573 of 2017
Date of decision: 31.10.2017**

Rita Tandon

....Petitioner

Versus

State of Haryana & others

...Respondents

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

Present: Mr.I.P.Singh, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks consideration of her representation dated 28.04.2017 (Annexure P-8) for regularization of services as Extension Lecturer in the subject to Hindi in the Government Post-Graduate College, Ambala Cantt. and not to remove her from service. Prayer has also been made for quashing of advertisement No.10 dated 16.02.2016 (Annexure P-6), on the ground that age relaxation should be provided to her.

It is not disputed that on an earlier occasion, CWP-13663-2017, which was filed by her, was dismissed as withdrawn on 06.10.2017 (Annexure P-9) whereby permission was taken to challenge the selection process by which Assistant Professors in various subjects have been recruited. The petitioner, at that stage, never pressed her case for regularization and thus, the 2nd petition, on the same cause of action, would not lie. Even otherwise, counsel could not point out any policy on the basis of which benefit of regularization as Extension Lecturer can be granted. It is also to be noticed from her representation that she has been working in various institutions in Ludhiana, Chandigarh and eventually, started working with respondent No.3-College only in September, 2012. It is settled principle that a writ of mandamus can only be issued on the

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105 CWP No.24573 of 2017

-2-

strength of a legal right and in the absence of any such policy for grant of regularization to the post of Extension Lecturer, counsel is in no position to press the said request and neither can any such prayer be allowed.

With regard to the second relief sought as to challenge the advertisement dated 16.02.2016 for relaxation of age, the same is also without any basis. It is to be noticed that a period of more than 1 ½ years has gone by since the said advertisement was issued. The petitioner is basically apprehending her replacement on account of the regular employees being employed in pursuance of the selection process. Even otherwise, no person can, as such, ask for a tailor-made requirement of eligibility, to suit his/her own personal convenience.

In such circumstances, in the absence of any legal right of the petitioner, the present writ petition is devoid of any merit and the same is hereby dismissed in limine.

31.10.2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*