

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4201 of 2017 (O&M)

Date of Decision: 02.03.2017

Subhash & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDIP AHLUWALIA**

Present: Mr. Yesh Paul Malik, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The petitioners had earlier worked on contract basis for different periods from January, 1997 onwards. They were relieved after appointment of regular teachers. Most of the petitioners are said to have meanwhile become overage and are unable to compete for regular recruitment in response to the advertisements issued by the Haryana Staff Selection Commission from time to time.

(2) The petitioners have now laid challenge to policies dated 30.12.2013 and 16.11.2016 formulated by the Education Department whereunder retired teachers are being engaged against the vacant posts to run the Government schools.

(3) In our considered view, the petitioners' prayer is wholly misconceived and misdirected. Even if the policies are struck down, no effective relief can be granted to the petitioners.

(4) The petitioners are rather seeking a direction that like retirees, the ex-contractually appointed teachers like them may also be given opportunity to serve the Govt. schools. Such a relief entails fresh policy decision which can be taken by the policy makers only. This Court in exercise of its writ jurisdiction

have already approached the competent authority by way of a representation(s)/legal notice(s), the writ petition is disposed of without expressing any views on merits with a direction to the Principal Secretary, Education Department to look into the grievance of the petitioners and redress the same by way of a reasoned order within four months from the date of receipt of certified copy of this order.

(5) Ordered accordingly.

(Surya Kant)
Judge

02.03.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No