

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

LPA No.1825 of 2017 (O&M)

Date of Decision : 25.09.2017

Neha Bhullar

..... Appellant

Versus

PEC University of Technology and another

..... Respondents

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr. Samrat Malik, Advocate
for the appellant.

MAHESH GROVER, J. (Oral)

This appeal is directed against the judgment dated 23.08.2017, passed by the learned Single Judge.

The appellant was engaged on contractual basis in the first instance on 20.07.2012 which engagement was repeated after every six months and the last engagement was to expire on 23.12.2016. Instead of granting extension, an advertisement dated 27.12.2016, seeking to employ incumbents on contractual basis was published, against which the appellant approached this Court by way of writ petition that came up for hearing on 04.01.2017, which was also the date when the interviews were slated. On the said date, the Court passed an order that any appointment made, will be subject to the final disposal of the writ petition. The appellant participated in the selection process but remained unsuccessful. Thereafter she persisted with the writ petition with a claim that the respondent-department

could not replace contractual employee with another set of contractual employee and cited number of judgments of this Court as well as Hon'ble Supreme Court.

The learned Single Judge negated the claim on the ground that the appellant had participated in the selection process but remained unsuccessful and, therefore, could not raise this issue of her services being replaced by another set of contractual employees. We would agree with this. Besides, the appellant made no attempt to implead the selected candidate as party whose entire selection would be at stake if the appellant's plea was to be accepted and principle of natural justice would dictate their presence before the writ Court.

Thus, we are of the opinion that the impugned judgment does not suffer from any illegality and the instant appeal deserves to be dismissed.

Ordered accordingly.

(MAHESH GROVER)
JUDGE

(RAJ SHEKHAR ATTRI)
JUDGE

25.09.2017
mamta-M

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No