

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

CWP No.18956 of 2016
Date of Decision: 10.12.2018

Vinod Kumar and another
Versus
....Petitioners

State of Haryana and ors
....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Dalbir Singh, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RITU BAHRI, J.(Oral)

The petitioners are seeking quashing of the advertisement 20.08.2016 (P-3) whereby post of language lab instructor, library restorer, clerk and peon on contract basis had been advertised for the year 2015, and interview was conducted on 16.09.2016.

The grievance of the petitioners is that they were appointed pursuant to the advertisement (Annexure P-1) for the year 2015, on contract basis and their work and conduct was satisfactory, thereafter, the petitioners were not allowed to continue in service. The grievance of the petitioners is that they can only be replaced by regularly selected candidates and no regular selection has been made so far.

On notice of this writ petition, a short reply has been filed by Dr. B.S. Ghotra, Principal, Government College, Jatauli Haily Mandi on behalf of respondents No. 1 to 3, which states that the

petitioners have been appointed on contract basis for one year (w.e.f. 30.09.2015). In view of the out sourcing policy dated 06.04.2015 (R-1). Respondent No.3 had submitted a request to the department of higher education for extending the term of the contract for one more year vide letter No.SPL/01 dated 01.06.2016 but no permission was granted in this regard. Keeping in view that there was no power with the respondent No.3 fresh advertisement were issued on 20.08.2016 (P-3). Keeping in view the reply filed by the principle that some request for extension has already been made on 01.06.2016 (R-2) this petition is being allowed. Advertisement (P-3) is being quashed and direction is being given to the respondent to allow the petitioners to work on contract basis till the regular selected candidates joins the service. The petitioners are permitted to work only if their work and conduct is found satisfactory.

The present petition stands allowed.

[RITU BAHRI]
JUDGE

December 10, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no