

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6681 OF 2018

Ms. K.J.Dabhi & Ors. .. Petitioners
Versus
Union of India & Anr. .. Respondents

Mr. P.K.Dhakephalkar, Senior Advocate I/b,. V.A.Nagrani for petitioners
Mr. S.S.Deshmukh for respondent Nos. 1 to 3.

CORAM : B.R.GAVAI &
DAMA SESHADRI NAIDU, JJ.

DATE : 22nd April 2019.

P.C.

The petitioners have approached this Court with a grievance that though they have been working for a considerable time on contractual basis, their services are sought to be terminated and replaced by another set of contractual employees.

2] By an interim order dated 7th September 2018, we have directed the respondents, that until further orders, the petitioners who are working as Assistant Professors shall not be replaced by another set of contractual employees. Mr. Deshmukh appearing for

respondents vehemently attempted to support the act of respondents.

3] By now it is settled position of law that one set of ad hoc employees cannot be replaced by another set of ad hoc employees. They can only be replaced by candidates who are selected through regular selection process. In that view of the matter, we dispose of this petition directing the respondents that present petitioners who are working on contractual basis shall not be replaced by another set of contractual employees.

4] However, we make it clear that the order shall not be construed that the petitioners cannot be replaced by the employees who are selected through regular selection process.

5] We also direct that such of the employees who have already been replaced prior to our interim order shall also be continued till they are replaced by regularly selected candidates.

(DAMA SESHADRI NAIDU, J)

(B.R.GAVAI, J)