

CWP-5502-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5502-2019

Date of Decision: 28th February, 2019

Harsimran Kaur

...Petitioner

Versus

State of U.T. Chandigarh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Sanjeev Kumar Bawa, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court praying for issuance of a writ of *mandamus* restraining the official respondents from terminating the services of the petitioner from the post of Assistant Professor (Philosophy) in Post Graduate College, Sector-46, Chandigarh.

It is the contention of the learned counsel for the petitioner that the petitioner, in pursuance to an advertisement issued by the respondents, applied for the post of Assistant Professor (Philosophy) under the OBC category. After completion of due process, petitioner was selected and is working on the post of Assistant Professor (Philosophy) on contractual basis. The initial appointment of the petitioner was issued on 14.08.2017 (Annexure P-3), which has been extended for the session 2018-19 vide appointment letter dated 21.03.2018 (Annexure P-4). On 18.01.2019, two posts of Assistant Professors (Philosophy) in Government Arts and Science College, Education Department, Chandigarh, on each for general category as well as for the reserved category, have been filled-up in pursuant to an

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advertisement, which was issued in the year 2013. Petitioner apprehends that her services would be terminated because of filling-up of these two posts. It is contended by the counsel for the petitioner that since the post of OBC category is still lying vacant, petitioner should be allowed to continue. It is further contended that the petitioner has an apprehension that her services would be terminated because of filling up of these posts and therefore, prays that she be allowed to continue till the completion of the session, as per the terms of the contract.

I have considered the submissions made by the learned counsel for the petitioner and with his assistance have gone through the records of the case.

As per the terms of the contract, services of the petitioner are liable to be terminated on filling-up the post on joining/appointment on regular basis of a candidate recommended/selected by the UPSC or appointed on deputation from the State of Punjab or Haryana or till the end of session 2018-19, whichever is earlier. The appointment of the petitioner being in accordance with the terms of the said contract has not yet been terminated and the petitioner has approached this Court merely on apprehensions. The *mandamus* as prayed for by the petitioner, therefore, at this stage, cannot be issued.

The writ petition is premature and therefore, the same stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

28th February, 2019
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No