

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

CWP No. 4928-2019

Date of decision : 25.02.2019

Pawan Singh and others

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Deepak Raghava, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Petitioners are seeking direction to the respondents to allow them to continue as Assistant Professor/Extension Lecturer and do not replace against transfer or deputation of regular employees, temporary, contractual joining.

At the very outset, learned counsel for the petitioners has referred to order dated 21.02.2019 whereby petitioner No. 1 has been ordered to be relieved on transfer of Ms Rekha Bai, Assistant Professor of Physics.

Learned counsel further submits that petitioner nos. 2 and 3 are also apprehending that they will be relieved on joining of new candidate by way of transfer.

Petitioner is relying upon judgment of this Court in a case of *Mamta Rani and others vs. State of Haryana and others*, decided on *09.10.2018, passed in CWPNo. 26077-2018 (P-1)*

Notice of motion

On asking of the Court, Mr. Kiran Pal Singh, AAG, Haryana accepts notice on behalf of the State. Learned counsel for the petitioner is directed to supply copy of the petition to the learned State counsel by today itself.

Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No. 3 to allow the petitioners to work till regular appointments are made and the petitioners shall not be replaced on the basis of transfer/deputation of regular employee, subject to the condition that their work and conduct is satisfactory. However, if the petitioners are relieved, they be taken back into service immediate and further it is made clear that if some new regular candidates joins, the petitioners can be relieved on the basis of last come first go, in view of *Mrs. Rita Tondon vs. State of Haryana and others*, passed in CWP No. 16975-2014, decided on 29.07.2016.

(RITU BAHRI)
JUDGE

25.02.2019
G Arora

Whether speaking/reasoned
Whether reportable

Yes
No